

**EXHIBIT FOUR**

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7 In Propria Personum

8 UNITED STATES DISTRICT COURT  
9 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11 ALAN IRVING MOSS,

12 Plaintiff,

13 vs.

14  
15 THE BANK OF NEW YORK TRUST  
16 COMPANY, AND DOES 1-50,  
17 INCLUSIVE

18 Defendants.)

Civil Action No. CV 10 1734 JSW

FOURTH AMENDED COMPLAINT  
(Per Court Order dated October 13, 2011)

19  
20 Plaintiff ALAN IRVING MOSS alleges as follows:

21 1. Plaintiff ALAN IRVING MOSS is, and at all times hereinafter mentioned  
22 was, an individual residing in the County of San Mateo, California.

23 2. Defendant BANK OF NEW YORK TRUST COMPANY, N.A. (hereinafter  
24 "BNY") is, and at all times hereinafter mentioned was, a business of unknown legal origin

25  
26 FOURTH AMENDED COMPLAINT  
(PER COURT ORDER DATED OCTOBER 13, 2011)

CIVIL NO. CV 10 1734 JSW

1 and form, and on information and belief, a banking institution with its principal offices in  
2 the State of New York, which is qualified to do business in the State of California.

3 3. GMAC, a business entity of unknown form and residency, was the  
4 servicer on the note and deed of trust which is the subject of this action, and at all times  
5 relevant herein, was acting as, and was in fact, the agent of Defendant BNY.

6 4. The true names and capacities, whether individual, corporate, associate  
7 or otherwise, of defendants sued herein as Does I through 50, inclusive, are unknown to  
8 plaintiff, who sue said defendants by such fictitious names; plaintiff will amend this  
9 Complaint to show the true names and capacities if and when the same are ascertained.  
10 and plaintiff is informed and believes, and thereon alleges, that said defendants, and each of  
11 them, are responsible in some manner for plaintiff's damages as herein alleged.

12 5. Plaintiff is informed and believes, and thereon alleges, that at all times  
13 herein mentioned, each of the defendants was the agent of the remaining defendants and  
14 in doing the things herein alleged, was acting within the course and scope of such agency

15 6. Plaintiff has owned and resided in the property located at 86 San Lucas  
16 Moss Beach, California (the "property") continuously from 1984 to the present time.

17 7. The legal description of the property is APN No. 037-275-120, Lots 22  
18 and 23, Blk. 13, Riviera Ocean Villa.. According to actions hereinafter described, the  
19 subject property also included Parcel No. 037-275-170, Lot 20 when it was encumbered  
20 by the financial instrument which is the subject of this lawsuit. Lot 20 is not contiguous  
21 to Lots 22 and 23.

22 8. On or about June 22, 2005, plaintiff took out a loan against the subject  
23 property, as evidenced by a Note. Plaintiff was the borrower. CJ Trust, Inc. was the  
24 lender.

1 9. The Note was secured by a Deed of Trust, in which the purported  
2 parties were: CJ Trust, Inc. as the beneficiary, Alliance Title was the trustee, and plaintiff  
3 was the trustor. Said Deed of Trust described the property as APN 037-275-170-6.

4 10. The original lender, CJ Trust, Inc. drafted both the Note and Deed of  
5 Trust. Plaintiff took no part in the drafting of these documents, which were drafted so  
6 as to bifurcate the debt(Note) from the security(Deed of Trust) in order to, on  
7 information and belief, facilitate the creation of certain investment vehicles.

8 11. According to public records on file with the Recorders Office of San  
9 Mateo County, on or about June 22, 2005, said property was encumbered by a Deed of  
10 Trust, in which CJ Trust, Inc. was the beneficiary, Alliance Title was the trustee and the  
11 property was described as APN. 037-275-170-6. Said instrument was recorded on July  
12 5, 2005.

13 12. According to public records on file with the Recorders Office of San  
14 Mateo County, on or about June 27, 2005, CJ Mortgage Inc. purported to assign said  
15 Deed of Trust to Option One Mortgage. The trustee listed in said assignment was  
16 Alliance Title. Said purported assignment was not recorded for twenty-two months, or  
17 until April 4, 2007. The legal description of the property was set forth as APN. 037-275-  
18 170-6; an attachment to the purported assignment set forth an additional description of  
19 the property as Lots 20, 22 and 23. No copy of said purported assignment was provided  
20 to plaintiff, nor was plaintiff provided with any notice of said purported assignment.

21 13. According to public records on file with the Recorders Office of San  
22 Mateo County, on or about September 17, 2007, a Notice of Default was issued against  
23 said property. Said notice contains the caption "TCIF REO2, LLC C/O Executive Trustee  
24 Services LLC." Said notice was recorded on September 18, 2007. Said notice was  
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1 purportedly issued by "Executive Trustee Services LLC as agent for beneficiary." The  
2 notice stated that "...the present beneficiary under such Deed of Trust, as executed and  
3 delivered to said duly appointed Trustee, a written Declaration of Default and Demand for  
4 same, and has deposited with said duly appointed Trustee, such deed of trust and all  
5 documents evidencing obligations secured thereby, and has declared and does hereby  
6 declare all sums secured thereby be sold to satisfy the obligations secured thereby."  
7 Executive Trustee Services LLC(hereinafter "ETS")was not the duly appointed substitute  
8 trustee and had no power to issue said notice or any other notice.

9           14. Plaintiff never received notice of any Notice of Default or Amended  
10 Notice of Default up to and including the present time.

11           15. According to public records on file with the Recorders Office of San  
12 Mateo County, Option One Mortgage purported to assign said Deed of Trust to TCIF  
13 LLC. The date of the purported assignment cannot be determined because the signature  
14 of the agent for the assignor was interlineated as September 15, 2007 after the typed date  
15 of May 7, 2008 was crossed out. The signature on behalf of the assignor is purported  
16 to be that of a Brian D. McConnell as Assistant Secretary. The signature was purported  
17 to be notarized on May 7, 2007, some four months prior to the assignor signing the  
18 document; however, the typed date of May 7, 2008 was changed by hand to May 7,  
19 2007. The date the assignment was recorded was at least nine months later on June 16,  
20 2008. The trustee listed in said assignment was Alliance Title. Plaintiff herein never  
21 received notice of said purported assignment

22           16. According to public records on file with the Recorders Office of San  
23 Mateo County, TCIF, LLC purported to assign said Deed of Trust to defendant BNY  
24 The date of the purported assignment is unclear because the agent for the assignor  
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1 purportedly signed the document on April 29, 2008 in California. The document was  
2 purportedly notarized on April 30, 2008 in Pennsylvania. At the time of this purported  
3 assignment, the purported assignment to this assignor had not yet been recorded. The  
4 trustee listed in said assignment was Alliance Title. Said alleged assignment was recorded  
5 on June 16, 2008. Plaintiff herein never received notice of said purported assignment.

6 17. According to public records on file with the Recorders Office of San  
7 Mateo County, on or about May 19, 2008, a Notice of Trustees Sale was recorded on  
8 said property by ETS Services, LLC, which was, on information and belief, a sub-entity  
9 of Executive Trustee Services. The date of sale was set forth as June 13, 2008.  
10 Executive Trustee Services was not the duly appointed substitute trustee and had no  
11 power to issue said notice or any other notice.

12 18. The trustees sale set for June 13, 2008 did not occur, as the sale was  
13 cancelled per agreement between plaintiff herein and GMAC, who was the servicer on the  
14 loan and purporting to act as agent of defendant BNY. Said agreement was duly  
15 documented and confirmed in a writing prepared by plaintiff herein and telefaxed to  
16 GMAC, with written confirmation of receipt by GMAC. The terms of said confirmation  
17 have never been contested or disputed.

18 19. On or about May 7, 2009, without any further notice to plaintiff herein,  
19 a Trustee Sale took place on the property, in which Executive Trustee Services, LLC,  
20 purporting to act as trustee, acquired title to the property, and subsequently passed title  
21 to BNY, defendant herein. On information and belief, this transaction was done on the  
22 basis of a credit bid. Contrary to the terms of the Notice of Trustees Sale, no cash  
23 changed hands in this transaction. BNY was not a bona fide purchaser for value.

24 20. On or about May 12, 2009, Executive Trustee Services, LLC prepared  
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1 a document entitled Trustee's Deed Upon Sale which purported to grant to defendant  
2 herein, BNY, title to said property. Said trustee's deed states: "Grantee herein was the  
3 foreclosing beneficiary."

4 21. According to public records on file with the Recorders Office of San  
5 Mateo County, Sand Canyon Corporation f/k/a Option One Mortgage Corporation  
6 purported to assign said Deed of Trust to TCIF, LLC. The date of the purported  
7 assignment is unclear because the agent for the assignor, an individual different than the  
8 individual who signed the previous assignment referred to in Paragraph 15, purportedly  
9 signed the document on April 14, 2009. The document was purportedly notarized on  
10 September 2, 2009. The trustee listed in said assignment was Alliance Title. Said alleged  
11 assignment was recorded on September 17, 2009. At the time of said purported  
12 assignment, the assignor did not have any interest, right to or title in the Deed of Trust  
13 which is the subject of this purported assignment. Plaintiff herein never received notice of  
14 said purported assignment.

15  
16 **FIRST CAUSE OF ACTION**

17 **(SET ASIDE TRUSTEE SALE DUE TO SALE BEING VOID)**

18  
19 22. Plaintiff incorporates and realleges, as though fully set forth herein  
20 para-graphs 1 - 21 inclusive.

21 23. The trustee sale of the property on or about May 7, 2009 must be set  
22 aside as being void, due to the violations of law by the purported foreclosing beneficiary,  
23 BNY, and its principals, agents, assignors, assignees and predecessors in interest, as well  
24 as prior purported beneficiaries who attempted to pass title by way of assignment, but  
25

1 which was in actuality of no effect. Among these violations, which are not procedural  
2 irregularities but substantive violations of law, are *inter alia*:

3 A. The purported assignment from CJ Mortgage Inc. to Option One  
4 Mortgage attempted to assign a parcel of land that was not a part of the Deed of Trust;

5 B. The purported assignment from Option One Mortgage to  
6 TCIF,LLC is null and void as the purported assignment contains no valid notarized  
7 acknowledgment; and further that the purported assignment was notarized prior to  
8 signature of the assignor; and further because the purported assignment has altered dates  
9 on the signatures of both the assignor and the notary, in violation of California Civil Code  
10 §2932.5;

11 C. The purported assignment from TCIF,LLC to defendant BNY is  
12 null and void as the purported assignment contains no valid notarized acknowledgment  
13 and further that the purported assignment was notarized prior to signature of the assignor  
14 and further because the agent signing for the assignor was in a different state than the  
15 person allegedly notarizing the signature; and further because at the time of purported  
16 assignment, the prior purported assignment had not yet been recorded, in violation of  
17 *inter alia* California Civil Code §2932.5;

18 D. The entity issuing the Notice of Default had no authority to issue  
19 said notice under the law and therefore said Notice is null and void and any further actions  
20 to acquire title to said property are null and void;

21 E. The entity issuing the Notice of Default failed to file, serve, and  
22 record an amended Notice of Default as a result of assignments subsequent to the Notice  
23 of Default and prior to the sale of the property, as required by Civil Code §2924c;

24 F. No election to sell was made by the purported foreclosing  
25



1 beneficiary, as required by law;

2 G. Failure to file an amended Notice of Trustee Sale, as required by  
3 Civil Code §2934a(e), regarding the substitution of trustee;

4 H. The trustee sale of the property on or about May 7, 2009 must  
5 be set aside, due to acceptance of funds paid by plaintiff in furtherance of an agreement  
6 between the parties to cancel said sale;

7 I. Failure of the beneficiary, at the time of the sale, to make an  
8 election to sell the property as required by Civil Code §2924(a)(1)(c);

9 J. The defendant herein did not have clear title to the property at the  
10 time of the Notice of Default, the Notice of Trustees Sale, or at the time of the sale itself,  
11 in that defendant's assignor did not have clear title, the assignment received being null and  
12 void because there was, in effect, no signature conveying title appearing on said  
13 document, the signature having been notarized four months previously.

14 K. The defendant did not have title to the subject property due to  
15 unacknowledged signatures on assignments which purported to convey interest in the  
16 property; thus, this defendant did not have the powers of a beneficiary, did not have the  
17 power to elect to sell the property, and did not have authority to authorize the trustee to  
18 conduct a sale of the property.

19 L. The defendant did not have, and cannot demonstrate, a clear chain  
20 of title to the property; thus, this defendant did not have clear title to the property and thus  
21 had no power to elect to sell the property.

22 M. The purported beneficiary at the time of the Notice of Default  
23 was not the beneficiary at the time of notice of sale or sale.

24 N. The sale violated the clear and explicit terms of the Notice of Sale  
25

1 pursuant to which the sale was conducted in that the property was sold under  
2 impermissible terms compelled by the said Notice.

3 O. The entity who purported to be the duly appointed trustee, ETS  
4 who issued the notice of default, the notice of trustee sale and conducted the sale, was  
5 in fact not duly appointed and had no authority or power to do any of these acts, nor to  
6 issue the trustee's deed.

7 24. Because said trustee sale was void as a matter of law, no tender is  
8 required under California law as a pre-condition to maintain this cause of action.

9 25. For each of the foregoing reasons and failure to comply with the strict  
10 sta-tutory requirements required as a prerequisite for a trustee sale in California, the  
11 trustee sale must be set aside as hereinafter prayed for.

12  
13 **SECOND CAUSE OF ACTION**

14 **(SET ASIDE TRUSTEE SALE DUE TO SALE BEING VOIDABLE)**

15 **[DELETED PER COURT ORDER OF March 7, 2011]**

16 (Paragraphs 26 - 31 deleted.)

17  
18 **THIRD CAUSE OF ACTION**

19 **(SET ASIDE SALE AS TO LOT 20 AS VOID)**

20 **[DELETED PER COURT ORDER OF March 7, 2011]**

21 (Paragraphs 32 - 39 deleted.)

22  
23 **FOURTH CAUSE OF ACTION**

24 **(ESTOPPEL)**

1  
2 40. Plaintiff incorporates and re-alleges, as though fully set forth herein.  
3 para-graphs 1 through 39 inclusive.

4 41. Plaintiff offers to tender on the same bases as set forth hereinabove.

5 42. Plaintiff was promised by defendant and its agents that the trustees sale  
6 would be cancelled and his property would not be sold provided he tendered \$50,000.00  
7 in certified funds. Said agreement was memorialized in writing. Plaintiff tendered said  
8 funds in reliance on said promise.

9 43. Notwithstanding said fulfillment of their agreement and detrimental  
10 reliance thereon, all as confirmed in writing, defendant and its agents sold the property  
11 to itself, at an unannounced and unnoticed sale, unbeknownst to plaintiff.

12 44. As a direct and proximate result of the foregoing, plaintiff suffered and  
13 continues to suffer great irreparable harm, including the loss of his residence for over  
14 twenty-four years.

15 45. As a result of these activities by defendant BNY, Does 1 through 50 and  
16 their assignors ad predecessors in interest, defendant should be estopped to hold title to  
17 said property and it should be returned to plaintiff forthwith, together with damages as  
18 hereinafter prayed for..

19  
20 **FIFTH CAUSE OF ACTION**

21 **(QUIET TITLE)**

22 (Paragraphs 46-48 Deleted per Response to Motion To Dismiss, Doc.#75, filed August  
23 8, 2011).

1  
2 **SIXTH CAUSE OF ACTION**  
3 **(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)**  
4

5 49. Plaintiff incorporates and re-alleges, as though fully set forth herein, the  
6 remaining paragraphs 1 through 48 inclusive.

7 50. Defendant BNY, GMAC, ETS and Does 1 through 50 are corporations  
8 or other entities whose precise name(s) or business forms are presently unknown to  
9 plaintiff. The defendants, and each of them, were at all times relevant herein, subsidiaries,  
10 parent companies, affiliates, co-venturers, agents, sub-entities, assignors, assignees,  
11 predecessors, partners, employees, employers, principals, agents, masters and/or servants  
12 of each other, and the acts or omissions herein alleged were within the course and scope  
13 of such relationship(s). Plaintiff is informed and believes, and on such basis, alleges that  
14 the acts and omissions of each such defendant sued herein as Does was a proximate  
15 cause of the injuries to plaintiff hereinafter alleged, thereby rendering each such  
16 defendant liable to plaintiff.

17 51. Each such defendant hereinabove referred to was, at all times relevant  
18 herein, in the business of, and specialized in, real estate ownership, real estate financing,  
19 real estate financing remedies, and foreclosure procedures required by State law,  
20 specifically the requirements of California law pertaining to non-judicial foreclosure.

21 52. On information and belief, Defendant BNY hired, employed, or  
22 otherwise contracted for the services of GMAC as the servicer on the subject loan  
23 referred to hereinabove. In taking any and all actions on said loan, including but not  
24 limited to the foreclosure proceedings referenced hereinabove, GMAC was acting as the  
25

1 agent for defendant BNY. In addition, on information and belief, BNY hired other entities  
2 through GMAC, whose identities are presently unknown, to act as agents of defendant  
3 BNY to take actions to further the foreclosure proceedings referenced hereinabove. In  
4 doing said actions, GMAC and other entities were acting as the agent for defendant BNY.

5           53. Defendant BNY and its agents, and each of them, individually and  
6 collectively, had a duty under California law to trustors such as plaintiff to comply with  
7 the requirements of California law in taking any action regarding real property to which  
8 they claimed an interest, specifically when claiming an interest via assignment and in  
9 undertaking foreclosure proceedings against real property to which they claimed an  
10 interest. Defendant BNY and its agents, and each of them, breached their duty to plaintiff  
11 by violating several provisions of California law, specifically several provisions of the  
12 California Civil Code, as hereinabove alleged in Count One of this Complaint, specifically  
13 but not limited to, failing to take title to said property because of faulty and illegal  
14 assignment so that there was, and is, no clear chain of title residing in defendant herein  
15 and each of them, and thus, could not maintain any action to non-judicially sell plaintiff's  
16 property, by causing <sup>2</sup> assignment documents to be illegally notarized and filed with the  
17 Records Office of San Mateo County multiple times, thereby rendering any of such  
18 several assignments void and of no force and effect, by <sup>3</sup> employing the services of an  
19 alleged trustee who was not legally appointed to said position under the terms of the deed  
20 of trust or California law, and thus had no power to conduct any trustee sale as to the  
21 subject property of plaintiff. All of said aforementioned breaches were, and are, evident  
22 from the face of documents prepared by defendants and each of them, or their  
23 predecessors, and filed with the Recorder of San Mateo County.

24           54. After defendant BNY allegedly took title to plaintiff's property by way  
25

1 of foreclosure proceedings, Defendant hired an attorney to evict plaintiff from his home  
2 Said attorney in turn hired a process server to serve plaintiff with an unlawful detainer  
3 action to evict plaintiff from his home. The process server first used abusive and illegal  
4 tactics but ultimately lied in a sworn affidavit of service to the court, and the court  
5 suppressed the supposed service. The attorney for defendant BNY then dismissed this  
6 lawsuit and filed another lawsuit for unlawful detainer, and these same actions by the very  
7 same process server continued with ferocity and to a more abusive degree than before  
8 Said process server, in attempting to serve plaintiff with this second lawsuit, intensified  
9 his efforts to serve plaintiff by any means necessary, then acted maliciously and with  
10 intent to scare and terrify plaintiff. Said process server acted abusively by attempting  
11 service as early as 6 A.M. and as late as 2 A.M. Said process server would literally stomp  
12 up to the front door on a wooden walkway, deliberately making menacing noises, pound  
13 loudly and repeatedly on the front door, literally shaking the door which would reverberate  
14 throughout the house, scream plaintiff's name at the top of his voice, literally screaming  
15 later than 11 P.M. from the roadway and walkway, knowing that his voice would carry  
16 throughout the neighborhood and embarrass plaintiff before his neighbors. Plaintiff's  
17 home is located on a quiet country street where sound carries for blocks. Specifically,  
18 plaintiff was awakened from sleep on several occasions as a result of the process server  
19 screaming his name from in front of the house, as well as pounding loudly and repeatedly  
20 on the front door, all of which happened when lights had been turned off for the night.  
21 In addition, with callous disregard for plaintiff, and with malice aforethought violated  
22 numerous requirements of State law, and as a direct and proximate result, plaintiff was  
23 severely injured and made to suffer for almost two years as this process went forward,  
24 including multiple attempts to evict plaintiff from his property, employing process servers

1 who violated California law and Orders from the San Mateo Superior Court regarding  
2 service, violating Orders from the San Mateo County Superior Court by appearing in  
3 court for trial on an unlawful detainer action with witnesses when defendant knew that  
4 said action had been stayed by order of the court, by employing a law firm to conduct  
5 said proceedings who, through some fifteen court proceedings, always employed  
6 specially appearing attorneys and never once appeared in court on their clients behalf, by  
7 forcing plaintiff to expend resources to defend against defendant's illegal activities, by  
8 causing plaintiff to suffer great emotional distress as a result of illegal activities on the part  
9 of defendants and each of them.

10           55. In committing the aforementioned acts, said process server acted  
11 intentionally to inflict great and extreme mental suffering in plaintiff, as a way of scaring  
12 plaintiff into accepting service, and as a method to punish plaintiff for challenging his  
13 honesty to the court, specifically that he had lied under oath in papers he had filed with  
14 the court.

15           56. In addition, in furtherance of the plot of defendant BNY and its agents  
16 to oust plaintiff from his home, defendant and its agents, including but not limited to  
17 GMAC, contrived assignments of title that were illegal and of no effect in that  
18 assignments were "robo-signed", multiple assignments were illegally notarized, in one  
19 case, more than six months prior to the corporate officer signing the document purporting  
20 to assign the property, and which was done by an employee who had already been  
21 censured by a Florida court for this very activity, and the actions of defendant and its  
22 agents to deliberately and with malice aforethought, contrived to, and changed dates on  
23 official documents, to conduct a foreclosure sale by an alleged trustee who had been  
24 appointed by a supposed beneficiary who would not become a beneficiary for over a year

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1 and a half. All of these actions pre-dated the initiation of any litigation in this matter, and  
2 was done for the sole purpose of harassing plaintiff, causing him extreme emotional  
3 distress, frightening him from his home, and deliberately attempting to take plaintiff's  
4 home in derogation of the law of California.

5 57. All of these actions caused plaintiff to spend significant sums of money  
6 on legal representation in an attempt to stave off eviction proceedings and reverse the  
7 foreclosure proceedings. Defendant and its agents refused to reverse and abate said  
8 aforementioned illegal activities when pointed out to them through legal counsel, and  
9 caused plaintiff to suffer continuing extreme mental distress.

10 58. As a direct and proximate result of the intentional, outrageous and  
11 unreasonable conduct of the defendant and its agents, plaintiff became frightened, upset,  
12 nervous, and humiliated, and as a result, suffered extreme and severe mental suffering and  
13 duress. Defendants, and each of them, deliberately and carelessly, or with such callous  
14 disregard for State law that it amounted to deliberateness, violated the requirements of  
15 State law as set forth hereinabove. Said emotional distress and damage was substantial  
16 enduring, and continuous from the point in time that plaintiff found a notice on his front  
17 door that his property had been sold without notice to the present day, and was, and is,  
18 of such debilitating quality that no reasonable person in a civilized society should be  
19 expected to endure it.

20 59. The damage suffered by plaintiff was proximately caused by the actions  
21 of defendants and each of them, who acted knowing that said conduct was substantially  
22 certain to result from their conduct, or with reckless disregard of the probability of  
23 causing plaintiff severe emotional distress. Plaintiff suffered loss of sleep, extreme  
24 nervousness, inability to focus on current events but instead dwelt on the forced eviction

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1 from his home, an inability to relate to acquaintances and family members and close  
2 relationships, to such an extent that it caused serious consequences to plaintiff's  
3 relationships and health, and a withdrawal from his normal social life. As a result of the  
4 aforementioned, plaintiff was caused to suffer great emotional harm as set forth  
5 hereinabove, all to his detriment.

6 60. Wherefore, plaintiff prays as hereinafter set forth.

7  
8 **SEVENTH CAUSE OF ACTION**  
9 **(BREACH OF CONTRACT)**  
10

11 61. Plaintiff incorporates and realleges, as though fully set forth herein.  
12 para-graphs 1 through 60 inclusive.

13 62. At all times relevant herein, on information and belief, defendant  
14 employed GMAC to act as a loan servicer on behalf of defendant, and in all material ways.  
15 gave GMAC full authority to act on its behalf, such that the actions of GMAC regarding  
16 the loan at issue herein, became the actions of defendant.

17 63. On or about June 18, 2010, plaintiff and employees of GMAC entered  
18 into a contract, pursuant to which GMAC would cancel the trustees sale then presently  
19 scheduled in exchange for the payment of \$50,000.00 in certified funds. Said contract  
20 was confirmed in writing by plaintiff. Said confirmation was telefaxed to GMAC, and  
21 confirmation of receipt received by plaintiff. At no time, up to and including the present  
22 time, has GMAC or defendant ever challenged the existence of said contract or in any  
23 way, undertook any actions to dispute or rescind said contract.

24 64. Plaintiff, in reliance thereon, tendered \$50,000.00 in certified funds to  
25

1 GMAC, the receipt of which was confirmed in writing.

2 65. The trustees sale aforementioned hereinabove was therefore a breach  
3 of the contract entered into between plaintiff and defendants agents.

4 66. Wherefore, plaintiff prays as hereinafter set forth

5  
6 **EIGHTH CAUSE OF ACTION**  
7 **(VIOLATION OF ONE ACTION RULE)**

8  
9 (Paragraphs 67- 72 Deleted per Response to Motion To Dismiss, Doc. #75, filed August  
10 8, 2011.).

11  
12 **NINTH CAUSE OF ACTION**  
13 **(ACCOUNTING)**

14 Paragraphs 73-75 Deleted per Response to Motion To Dismiss, Doc. #75, filed August 8,  
15 2011).

16  
17 **TENTH CAUSE OF ACTION**  
18 **(CANCELLATION OF RECORDED DOCUMENTS)**

19 76. Plaintiff incorporates and re-alleges, as though fully set forth herein  
20 para-graphs 1 through 75 inclusive.

21 77. According to public records on file with the Recorders Office of San  
22 Mateo County, on or about September 21, 2006, the purported beneficiary on this date,  
23 TCIF REO2, LLC attempted to substitute a trustee, to wit Executive Trustee Services  
24 LLC fka Executive Trustee Services, Inc. Said attempted Substitution of Trustee was

1 recorded on November 10, 2006. Said substitution was ineffective and illegal in that the  
2 signature of the agent of the purported beneficiary was not duly acknowledged and  
3 noticed under California law. In addition, the purported beneficiary was without power  
4 to issue such a document in that it was illegally and improperly assigned the Deed of  
5 Trust as set forth hereinabove.

6 78. The following documents, referenced hereinabove, are null and void.  
7 in that each and every one was issued by an entity without any power in California to  
8 issue said documents, to wit Executive Trustee Services:

- 9 A. The Notice of Default referenced hereinabove;  
10 B. The Notice of Trustees Sale;  
11 C. The Trustees Deed Upon Sale.  
12

13 **WHEREFORE**, plaintiff prays for judgment against Defendants BNY and Does 1 through  
14 50 as follows:  
15

16 **AS TO THE FIRST CAUSE OF ACTION:**

- 17 1. For an order setting aside and invalidating the trustee sale of the property that took  
18 place on or about May 7, 2009.  
19 2. For an Order returning title to said property to plaintiff.  
20 3. For incidental damages in an amount to be determined at trial;  
21 4. For costs of suit incurred; and  
22 5. For such other and further relief as the court may deem just and proper.  
23

24 **AS TO THE SECOND CAUSE OF ACTION:** [Deleted Per Court Order]  
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1 AS TO THE THIRD CAUSE OF ACTION: [Deleted Per Court Order]

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3 **AS TO THE FOURTH CAUSE OF ACTION:**

4 1. For an order setting aside the trustee sale of the property that took place on or about  
5 May 7, 2009.

6 2. For incidental damages in an amount to be determined at trial;

7 3. For costs of suit incurred; and

8 4. For such other and further relief as the court may deem just and proper.

9

10 AS TO THE FIFTH CAUSE OF ACTION: [Deleted per Doc. #75]

11

12 **AS TO THE SIXTH CAUSE OF ACTION:**

13 1. For monetary damages, both compensatory and punitive, in an amount to be  
14 determined at trial;

15 2. For costs of suit incurred; and

16 3. For such other and further relief as the court may deem just and proper.

17

18 **AS TO THE SEVENTH CAUSE OF ACTION:**

19 1. For an order setting aside the trustee sale of the property that took place on or about  
20 May 7, 2009.

21 2. For damages in an amount to be determined at trial;

22 3. For costs of suit incurred; and

23 4. For such other and further relief as the court may deem just and proper.

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1 AS TO THE EIGHTH CAUSE OF ACTION: [Deleted per Doc. #75]

2

3 AS TO THE NINTH CAUSE OF ACTION: [Deleted per Doc. # 75]

4

5 **AS TO THE TENTH CAUSE OF ACTION:**

6 1. For an order setting aside the trustee sale of the property that took place on or about  
7 May 7, 2009.

8 2. For an order cancelling and expunging from the official records of San Mateo County  
9 the Notice of Default, the Notice of Trustees Sale and the Trustees Deed Upon Sale;

10 3. For damages in an amount to be determined at trial;

11 4. For costs of suit incurred; and

12 5. For such other and further relief as the court may deem just and proper.

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14 Dated: November 2, 2011.

Respectfully submitted,

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ALAN MOSS

In Propria Persona

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PROOF OF SERVICE

1  
2 Court: U.S. District Court, Northern District of California

3 Case name: Alan Moss vs. Bank Of New York Trust Company, et al..

4 Action no.: CV 10-1734 VRW

5 I am employed in the county of San Mateo, California. I am over the age  
6 of 18 and not a party to the within action on this date, I served the foregoing  
document(s) described as:

7 Plaintiff's FOURTH AMENDED COMPLAINT(Corrected per court order  
of October 13, 2011)

8 on the party(ies) set out in said document by causing a true copy thereof to be:

9 [ ] telecopied via facsimile to the addressee's telephone number listed below.  
10 [ ] telecopied via facsimile to the addressee's telephone number listed below,  
and thereafter mailed according to the procedures set forth immediately  
11 hereinbelow.

12 [ x ] by U.S. mail, by placing said document(s) in a sealed envelope with first  
class postage thereon fully prepaid, and then placed in a mailbox of the U.S.  
postal service.

13 [ ] by U.S. mail, return receipt requested, by placing said document(s) in a  
sealed envelope with appropriate postage thereon fully prepaid and then  
14 placed in the designated office area for outgoing mail.

15 [ ] delivered by hand to the person set forth below, or by handing said  
document in a sealed envelope to a messenger service for delivery as  
addressed.

16 [ ] sent via federal express, by handing said document in a sealed envelope to  
a federal express agent, for overnight delivery.

17 and if mailed, addressed as follows and sent to the following address(es):

18 Elena Kouwabina Esq.  
19 Severson & Werson  
One Embarcadero Center  
20 San Francisco CA 94111

21 I declare under penalty of perjury under the laws of the state of California  
that the foregoing is true and correct.

22 Executed this 2nd day of November, 2011, at Moss Beach, California.

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**EXHIBIT FIVE**



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## Case CIV505386 - ALAN IRVING MOSS VS EXECUTIVE TRUSTEE SER., LLC

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Viewed	Date	Action Text	Disposition	Image
	06/08/2012 9:00 AM DEPT. 7	CASE MANAGEMENT CONFERENCE	VACATED	N/A
	05/31/2012 9:00 AM DEPT. LM	HEARING: MOTION RE: TO SET ASIDE ENTRY OF DEFAULT FILED BY EXECUTIVE TRUSTEE SERVICES, LLC - <a href="#">Minutes</a>	COMPLETED	
	05/23/2012	NOTICE OF STAY OF PROCEEDINGS FILED BY EXECUTIVE TRUSTEE SERVICES, LLC.	-	
	05/23/2012	CASE DISPO'D - BANKRUPTCY/FEDERAL COURT NOTIFICATION RECEIVED	-	
	05/17/2012	DECLARATION OF ALAN MOSS IN SUPPORT OF PLAINTIFFS RESPONSE TO MOTION TO SET ASIDE DEFAULT	-	
	05/17/2012	ALAN IRVING MOSS'S RESPONSE TO DEFENDANTS MOTION TO SET ASIDE DEFAULT FILED.	-	
	04/18/2012 9:00 AM DEPT. LM	HEARING: MOTION RE: TO SET ASIDE ENTRY OF DEFAULT FILED BY EXECUTIVE TRUSTEE SERVICES, LLC - <a href="#">Minutes</a>	OFF-CALENDAR	
	04/04/2012	DECLARATION OF ELENA KOUVABINA IN SUPPORT OF MOTION TO SET ASIDE ENTRY OF DEFAULT	-	
	04/04/2012	DECLARATION OF CAROL BONELLO IN SUPPORT OF EXECUTIVE TRUSTEE SERVICES MOTION TO SET ASIDE DEFAULT	-	
	04/04/2012	NOTICE OF MOTION AND MOTION TO SET ASIDE ENTRY OF DEFAULT BASED ON EXTRINSIC FRAUD OR MISTAKE FILED BY EXECUTIVE TRUSTEE SERVICES, LLC	-	
	04/04/2012	MOTION FEE PAID BY EXECUTIVE TRUSTEE SERVICES, LLC.	-	
	04/04/2012	NOTICE OF WITHDRAWAL OF MOTION TO SET ASIDE ENTRY OF DEFAULT FILED BY EXECUTIVE TRUSTEE SERVICES, LLC.	-	
	03/09/2012 9:00 AM DEPT. PJ	HEARING DEFAULT PROVE-UP. -	COMPLETED	
	03/07/2012 9:00 AM	CASE MANAGEMENT CONFERENCE -	CONTINUED	N/A

	DEPT. 7			
	03/06/2012	PROOF OF SERVICE OF DEFENDANTS NOTICE OF MOTION, ETC. SERVED ON MR. ALAN IRVING MOSS BY USPS WITH A SERVICE DATE OF 03/06/12.	-	
	03/06/2012	DECLARATION OF CAROL BONELLO IN SUPPORT OF EXECUTIVE TRUSTEE SERVICES, LLC'S MOTION TO SET ASIDE	-	
	03/06/2012	DECLARATION OF ILENA KOUVABINA IN SUPPORT OF MOTION TO SET ASIDE ENTRY OF DEFAULT	-	
	03/06/2012	NOTICE OF MOTION AND MOTION TO SET ASIDE ENTRY OF DEFAULT BASED ON EXCUSABLE MISTAKE FILED BY EXECUTIVE TRUSTEE SERVICES, LLC	-	
	03/06/2012	FIRST PAPER FEE PAID BY EXECUTIVE TRUSTEE SERVICES, LLC.	-	
	03/01/2012	REQUEST TO SET HEARING ON UNCONTESTED CALENDAR (DEFAULT PROVE-UP), FILED.	-	
	12/02/2011 9:00 AM DEPT. 21	CASE MANAGEMENT CONFERENCE - <a href="#">Minutes</a>	CONTINUED	N/A
	12/01/2011	HCMC11 CALENDAR ON 12/02/11 IN DEPT. 7. HAS BEEN UPDATED TO 12/02/11 IN DEPT. 21.	-	
	11/28/2011	CASE MANAGEMENT STATEMENT FILED BY ALAN IRVING MOSS.	-	
N	08/26/2011 9:00 AM DEPT. 7	CASE MANAGEMENT CONFERENCE - <a href="#">Minutes</a>	CONTINUED	<a href="#">6</a>
	08/22/2011	PROOF OF SERVICE (PERSONAL) OF STATEMENT OF DAMAGES * SERVED ON EXECUTIVE TRUSTEE SERVICES, LLC WITH SERVICE DATE OF 08/09/11 FILED.	-	
	08/22/2011	STATEMENT OF OF DAMAGES FILED BY ALAN IRVING MOSS	-	
	06/17/2011	DEFAULT ENTERED AS TO EXECUTIVE TRUSTEE SERVICES, LLC	-	
	06/17/2011	REQUEST FOR DEFAULT FILED AND DEFAULT ENTERED ON COMPLAINT FILED 05/05/2011 OF ALAN MOSS AS TO EXECUTIVE TRUSTEE SERVICES, LLC.	-	
	06/02/2011	PROOF OF PERSONAL SERVICE OF SUMMONS AND COMPLAINT FILED 05/05/2011 OF ALAN MOSS SERVED ON EXECUTIVE TRUSTEE SERVICES, LLC BY SERVING BRADLEY ELLISON, AGENT FOR SERVICE WITH SERVICE DATE OF 05/09/11	-	
N	05/05/2011	30 DAY SUMMONS, ISSUED AND FILED.	-	<a href="#">6</a>
N	05/05/2011	CIVIL CASE COVERSHEET RECEIVED	-	<a href="#">6</a>
N	05/05/2011	(S) COMPLAINT FILED	-	<a href="#">6</a>

**EXHIBIT SIX**

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## Case CIV486130 - ALAN MOSS VS. THE BANK OF NEW YORK TRUST ET AL.

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	12/28/2009	HCMC11 CALENDARED ON 01/26/10 IN DEPT. 7. HAS BEEN UPDATED TO 01/26/10 IN DEPT. 21.	-	
	12/10/2009	NOTICE OF CONTINUED CASE MANAGEMENT CONFERENCE FILED BY ALAN IRVING MOSS.	-	
N	12/08/2009 9:00 AM DEPT. 25	CASE MANAGEMENT CONFERENCE - <a href="#">Minutes</a>	CONTINUED	
	12/03/2009	PLTF.S FAXED REQUEST TO CONTINUE THE 12/8/09 CMC FORWARDED TO DEPT. 25 FOR CONSIDERATION.	-	
	11/20/2009	AMENDED NOTICE OF HEARING ON MOTION TO BE RELIEVED AS COUNSEL FILED BY ALAN IRVING MOSS.	-	
	11/20/2009	CASE MANAGEMENT STATEMENT FILED BY ALAN IRVING MOSS.	-	
	11/16/2009	DECLARATION IN SUPORT OF ATTORNEYS MOTION TO BE RELIEVED AS COUNSEL - CIVIL FILED BY ALAN IRVING MOSS	-	
	11/16/2009	NOTICE OF MOTION TO BE RELIEVED AS COUNSEL - CIVIL FILED BY ALAN IRVING MOSS	-	
N	07/22/2009	AFFIDAVIT OF PERSONAL DELIVERY BY A. DEGLIANTONI FILED	-	
N	07/22/2009	30 DAY SUMMONS, ISSUED AND FILED.	-	
N	07/22/2009	CIVIL CASE COVERSHEET RECEIVED	-	
N	07/22/2009	(S) COMPLAINT FILED	-	

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IRVING MOSS IN SUPPORT OF MOTION TO CONSOLIDATE ACTIONS				
	04/15/2010	NOTICE OF MOTION AND MOTION TO CONSOLIDATE ACTIONS FILED BY ALAN IRVING MOSS	-	
	04/15/2010	ORDER GRANTING ORDER SHORTENINT TIME TO HAVE MOTION TO CONSOLIDATE HEARD, SIGNED BY JUDGE CRETAN ON 04/15/10 FILED.	-	
	04/15/2010	DECLARATION AND NOTICE OF ALAN MOSS IN SUPPORT OF EXPARTE APL. TO FOR ORDER SHORT. TIME TO HEAR MOTION FILED BY ALAN IRVING MOSS	-	
	04/15/2010	DECLARATION OF ALAN MOSS IN SUPPORT OF EX PARTE APPLICATION FOR ORDER SHORTENING TIME TO HEAR MOTION FILED BY ALAN IRVING MOSS	-	
	04/15/2010	EX-PARTE APPLICATION FOR ORDER SHORTENING TIME TO HEAR NOTICE OF MOTION TO CONSOLIDATE ACTIONS FILED BY ALAN IRVING MOSS	-	
N	03/22/2010	30 DAY SUMMONS, ISSUED AND FILED.	-	
N	03/16/2010	(U) 1ST AMENDED COMPLAINT OF ALAN MOSS FILED (AMENDED COMPLAINT)	-	
	03/09/2010 9:00 AM DEPT. 21	CASE MANAGEMENT CONFERENCE - <u>Minutes</u>	CONTINUED	N/A
	03/03/2010	CASE MANAGEMENT STATEMENT FILED BY ALAN IRVING MOSS.	-	
	02/10/2010	ORDER FOR WITHDRAWAL AS ATTORNEY OF RECORD ON COMPLAINT FILED 07/22/2009 OF ALAN MOSS FILED; MICHAEL B. ALLEN REMOVED AS TO ALAN IRVING MOSS AND REPLACED WITH PRO/PER, SIGNED BY JUDGE CRETAN, ON 02/09/10.	-	
	01/26/2010 9:00 AM DEPT. 21	CASE MANAGEMENT CONFERENCE - <u>Minutes</u>	CONTINUED	N/A
	01/25/2010	(PROPOSED) ORDER GRANTING ATTY MOT. TO BE RELIEVED AS COUNSEL SENT TO D-6-CRETAN.	-	
	01/06/2010 9:00 AM DEPT. LM	HEARING: MOTION RE: TO BE RELIEVED AS COUNSEL - CIVIL FILED BY ALAN IRVING MOSS - <u>Minutes</u>	COMPLETED	

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N	08/28/2012	BANK OF NEW YORK MELLONS REPLY IN SUPPORT OF MOTION TO COMPEL DEPOSITION OF PLAINTIFF, FILED.	-	
N	08/22/2012	DECLARATION OF ALAN MOSS IN SUPPORT OF PLAINTIFFS OPPOSITION TO DEFENDANTS MOTION TO COMPEL FILED BY ALAN IRVING MOSS	-	
N	08/22/2012	OPPOSITION TO DEFENDANTS MOTION TO COMPEL DEPOSITION FILED BY ALAN IRVING MOSS	-	
N	08/08/2012	NOTICE OF MOTION AN MOTION TO COMPEL DEPOSITION OF PA MOSS FILED BY ALAN IRVING MOSS	-	
N	08/08/2012	DECLARATION OF ELENA KOUVABINI IN SUPPORT OF THE BANK OF NY=ETC FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
N	07/05/2012	CERTIFIED COPY OF ORDER GRANTING MOTION FOR REMAND FROM FEDERAL COURT FILED.	-	
N	07/05/2012	CERTIFIED COPY OF CIVIL DOCKET RE REMAN FROM FEDERAL COURT FILED.	-	
N	07/05/2012	TRANSMITTAL LTR FROM U. S. DISTRICT COURT, NORTHERN DISTRICT, RECEIVED.	-	
	07/05/2012	ATTORNEY ADDED FOR THE DEFENDANT(S)/RESPONDENT(S) THE BANK OF NEW YORK TRUST COMPANY, N.A.. ATTORNEY: ERIC G FERNANDEZ.	-	
	07/05/2012	ATTORNEY ADDED FOR THE DEFENDANT(S)/RESPONDENT(S) THE BANK OF NEW YORK TRUST COMPANY, N.A.. ATTORNEY: ELENA K KOUVABINA.	-	
	07/05/2012	ATTORNEY ADDED FOR THE DEFENDANT(S)/RESPONDENT(S) THE BANK OF NEW YORK TRUST COMPANY, N.A.. ATTORNEY: EDWARD R BUELL.	-	
	07/05/2012	ATTORNEY ADDED FOR THE DEFENDANT(S)/RESPONDENT(S) THE BANK OF NEW YORK TRUST COMPANY, N.A.. ATTORNEY: DAVID R ENDRES.	-	
	07/05/2012	ATTORNEY ADDED FOR THE PLAINTIFF(S)/PETITIONER(S) ALAN IRVING MOSS. ATTORNEY: PRO/PER.	-	
	05/18/2010 9:00 AM DEPT. 21	CASE MANAGEMENT CONFERENCE	VACATED	N/A
	05/12/2010	CASE DISPOD - BANKRUPTCY/FEDERAL COURT NOTIFICATION RECEIVED.	-	
	05/12/2010	STAGE AT DISPOSITION - DISMISSAL OR TRANSFER.	-	
	04/23/2010 9:01 AM DEPT. LM	HEARING: MOTION RE: TO CONSOLIDATE ACTIONS FILED BY ALAN IRVING MOSS - <u>Minutes</u>	COMPLETED	
	04/20/2010	OPPOSITION TO TO MOTION TO CONSOLIDATE UNLAWFUL DETAINER (CLJ199935) FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
	04/15/2010	MOTION FEE PAID BY ALAN IRVING MOSS.	-	
	04/15/2010	MOTION FEE PAID BY ALAN IRVING MOSS.	-	
	04/15/2010	DECLARATION OF ALAN MOSS IN SUPPORT OF MOTION TO CONSOLIDATE ACTIONS FILED BY ALAN IRVING MOSS	-	
	04/15/2010	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN	-	

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N	10/18/2012	OPPOSITION TO PLAINTIFFS MOTION TO COMPEL; REQUEST FOR MONETARY SANCTIONS FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
N	10/05/2012	PROOF OF SERVICE OF DEFTS MOT FOR AN ORD ORDERING PLTF TO PRODUCE DOCUMENTS; ETC, FILED.	-	
N	10/01/2012	DECLARATION OF ELENA KOUVABINA IN SUPPORT OF BANK OF NEW YORK MOTION FOR ORDER TO COMPEL RESPONSES	-	
N	10/01/2012	DEFENDANTS SEPARATE STATEMENT IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES, FILED.	-	
N	10/01/2012	NOTICE OF MOTION TO PRODUCE DOOCUMENTS AND TO RESPOND TO REQUESTS FOR PRODUCTION FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
	10/01/2012	COURT REPORTER FEE OF \$30.00 PAID BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
	10/01/2012	FIRST PAPER FEE PAID BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	10/01/2012	SEPARATE STATEMENT PURSUANT TO CRC 3.1345 IN SUPPORT OF MOTION TO COMPEL, FILED.	-	
N	10/01/2012	DECLARATION OF ALAN MOSS IN SUPPORT OF MOTION TO COMPEL RESPONSES	-	
N	10/01/2012	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN IRVING MOSS IN SUPPORT OF MOTION TO COMPEL RESPONSES	-	
N	10/01/2012	NOTICE OF MOTION AND MOTION TO COMPEL RESPONSES TO DISCOVERY FILED BY ALAN IRVING MOSS	-	
	10/01/2012	COURT REPORTER FEE OF \$30.00 PAID BY ALAN IRVING MOSS.	-	
	10/01/2012	MOTION FEE PAID BY ALAN IRVING MOSS.	-	
	09/04/2012 9:00 AM DEPT. LM	HEARING: MOTION RE: TO COMPEL DEPOSITION OF PLAINTIFF FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <a href="#">Minutes</a>	GRANTED	
N	08/30/2012	NOTICE OF LODGING OF DEPOSITION TRANSCRIPT FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	

N	11/13/2012	CASE MANAGEMENT STATEMENT FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
	11/05/2012 9:00 AM DEPT. LM	HEARING: MOTION RE: ORDER TO RESPOND TO REQUESTS FOR PRODUCTION FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <u>Minutes</u>	COMPLETED	
	10/31/2012 9:00 AM DEPT. LM	HEARING: MOTION RE: TO COMPEL RESPONSES TO DISCOVERY FILED BY ALAN IRVING MOSS - <u>Minutes</u>	COMPLETED	
N	10/29/2012	PROOF OF SERVICE OF REPLY BRIEF; SUPPLEMENTAL DECLARATION SERVED ON ALAN IRVING MOSS BY MAIL; EMAIL WITH A SERVICE DATE OF 10/29/12.	-	
N	10/29/2012	SUPPLEMENTAL DECLARATION OF ELENA KOUIVABINA IN SUPPORT OF BANK OF NEW YORK MOTION TO COMPEL FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	10/29/2012	BANK OF NEW YORK MELLON TRUST COMPANYS REPLY IN SUPPORT OF MOTION TO COMPEL, FILED.	-	
N	10/24/2012	FURTHER DECLARATION OF ALAN MOSS IN SUPPORT OF REPLY MEMORANDUM RE MOTION TO COMPEL, FILED.	-	
N	10/24/2012	REPLY MEMORANDUM OF POINTS & AUTHORITIES IN SUPPORT OF MOTION TO COMPEL RESPONSES, FILED.	-	
N	10/24/2012	ALAN IRVING MOSS'S RESPONSE IN OPPOSITION TO DEFENDANTS SEPARATE STATEMENT RE MOTION TO COMPEL FILED.	-	
N	10/24/2012	AMENDED MEMO OF POINTS & AUTHORITIES IN OPPOSITION TO MOTION TO COMPEL AND MOTION TO STRIKE FILED BY ALAN IRVING MOSS.	-	
N	10/23/2012	DECLARATION OF ALAN MOSS IN SUPPORT OF PLAINTIFFS OPPOSITION TO MOTION TO COMPEL PRODUCTION OF DOCUMENTS	-	
N	10/23/2012	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN IRVING MOSS IN OPPOSITION TO DEFENDANTS MOTION TO COMPEL DEPOSITION AND MOTION TO STRIKE	-	
N	10/18/2012	PROOF OF SERVICE OF BANK OF NEW YORK OPPOSITION, ETC. SERVED ON ALAN IRVING MOSS BY MAIL AND EMAIL WITH A SERVICE DATE OF 10/18/12.	-	
N	10/18/2012	DECLARATION OF ELENA KOUVABINA IN SUPPORT OF BANK OF NY MELLONS OPPOSITION TO PLAINTIFFS MOTION	-	
N	10/18/2012	THE BANK OF NEW YORK TRUST COMPANY, N.A.'S RESPONSE AND OPPOSITION TO PLAINTIFFS SEPARATE STATEMENT FILED.	-	

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N	03/18/2013	COMPEL RESPONSES TO SPECIAL INTERROGATORIES SET ONE FILED BY ALAN IRVING MOSS	-	
N	03/18/2013	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN IRVING MOSS IN SUPPORT OF MOTION TO COMPEL RESPONSES TO SPECIAL INTERROGATORIES SET ONE	-	
	03/18/2013	COURT REPORTER FEE OF \$30.00 PAID BY ALAN IRVING MOSS.	-	
N	03/18/2013	NOTICE OF MOTION AND MOTION TO COMPEL RESPONSES TO DISCOVERY: SPECIAL INTERROGATORIES SET ONE FILED BY ALAN IRVING MOSS	-	
	03/13/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: MOTION FOR TERMINATING SANCTIONS, ETC FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <u>Minutes</u>	CONTINUED	
N	03/11/2013	FURTHER DECLARATION OF ALAN MOSS IN SUPPORT OF PLAINTIFFS OPPOSITION TO MOTION TO COMPEL, FILED.	-	
N	03/11/2013	PLAINTIFFS SUR REPLY BRIEF IN OPPOSITION TO DEFENDANTS MOTION TO COMPEL, FILED.	-	
	02/14/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: MOTION FOR TERMINATING SANCTIONS, ETC FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <u>Minutes</u>	CONTINUED	
N	02/06/2013	DEFENDANTS REPLY IN SUPPORT OF MOTION FOR TERMINATING SANCTIONS, OR TO COMPEL DISCOVERY, FILED.	-	
N	02/01/2013	PLAINTIFFS RESPONSE IN OPPOSITION TO DEFENDANTS SEPARATE STATMENT, FILED.	-	
N	02/01/2013	DECLARATION OF ALAN MOSS IN SUPPORT OF OPPOSITION TO MOTION TO COMPEL PRODUCTION OF DOCUMENTS	-	
N	02/01/2013	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN IRVING MOSS IN OPPOSITION TO DEFENDANTS MOTION TO COMPEL	-	
N	01/09/2013	DECLARATION OF ALISA A GIVENTAL IN SUPPORT OF MOTION FOR TERMINATING SANCTIONS, ETC FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
N	01/09/2013	SEPARATE STATEMENT OF IN SUPPORT OF MOTION FOR TERMINATING SANCTIONS OR IN THE ALTERNATIVE TO COMPEL RESPONSES, FILED.	-	
	01/09/2013	COURT REPORTER FEE OF \$30.00 PAID BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	01/09/2013	NOTICE OF MOTION AND MOTION FOR TERMINATING SANCTIONS OR IN THE ALTERNATIVE TO COMPEL RESPONSES FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
N	12/10/2012	ORDER RE: PLAINTIFFS MOTION TO COMPEL RESPONSES TO DISCOVERY, SIGNED BY JUDGE BERGERON ON 11/26/12 FILED.	-	
N	12/10/2012	ORDER RE: DEFENDANTS MOTION TO COMPEL RESPONSES TO DISCOVERY, SIGNED BY JUDGE BERGERON ON 11/26/12 FILED.	-	
N	11/20/2012	PRINT COMBINED MANDATORY SETTLEMENT CONFERENCE AND JURY TRIAL OR COURT TRIAL NOTICE	-	
N	11/20/2012 9:00 AM DEPT. 21	CASE MANAGEMENT CONFERENCE - <u>Minutes</u>	COMPLETED	
N	11/13/2012	CASE MANAGEMENT STATEMENT FILED BY ALAN IRVING MOSS.	-	

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N	05/06/2013	NOTICE OF ENTRY OF ORDER CONTINUING DATE OF TRIAL FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
	05/06/2013	ORDER AFTER HEARING FOR 04/09/13 RECEIVED AND FORWARDED TO DEPT. 23.	-	
	04/17/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: MOTION TO COMPEL RESPONSES TO DISCOVERY: SPECIAL INTERROGATORIES SET ONE BY ALAN IRVING MOSS - <a href="#">Minutes</a>	COMPLETED	
N	04/15/2013	STIPULATION AMONG PARTIES TO WITHDRAW AND RESET MOTION TO COMPEL RESPONSES, FILED.	-	
N	04/12/2013	PRINT COMBINED MANDATORY SETTLEMENT CONFERENCE AND JURY TRIAL OR COURT TRIAL NOTICE	-	
	04/10/2013	EX-PARTE FEE PAID BY THE BANK OF NEW YORK.	-	
N	04/10/2013	ORDER TO CONTINUE TRIAL, SIGNED BY JUDGE FOILES ON 04/10/13, FILED.	-	
N	04/10/2013	DECLARATION OF ALISA A. GIVENTAL IN SUPPORT OF EX PARTE APPLICATION TO CONTINUE TRIAL	-	
N	04/10/2013	EX PARTE APPLICATION TO CONTINUE TRIAL FILED.	-	
N	04/09/2013	DECLARATION OF ALISA A. GIVENTAL IN SUPPORT OF OPPOSITION TO PLAINTIFFS MOTION TO COMPEL FURTHER RESPONSES	-	
N	04/09/2013	OPPOSITION TO PLAINTIFFS MOTION TO COMPEL FURTHER RESPONSES FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
	04/09/2013 9:01 AM DEPT. LM	HEARING: MOTION RE: MOTION FOR TERMINATING SANCTIONS, ETC FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <a href="#">Minutes</a>	COMPLETED	
	04/09/2013 9:00 AM DEPT. 23	HEARING: MOTION RE: MOTION FOR TERMINATING SANCTIONS, ETC FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <a href="#">Minutes</a>	CONTINUED	
N	03/18/2013	SEPARATE STATEMENT OF PURSUANT TO CRC 3.1345 IN SUPPORT OF MOTION TO COMPEL RESPONSES TO DISCOVERY, FILED.	-	
		DECLARATION OF ALAN MOSS IN SUPPORT OF MOTION TO		

	09/12/2013	MOTION FEE PAID BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	06/19/2013	ORDER RE: PLAINTIFFS MOTION TO COMPEL DISCOVERY HEARD ON MAY 20, 2013, SIGNED BY JUDGE BERGERON ON 06/13/13 FILED.	-	
	06/14/2013 9:00 AM DEPT. LM	HEARING RE: MOTION TO COMPEL RESPONSES TO DISCOVERY: SPECIAL INTERROGATORIES SET ONE. - <u>Minutes</u>	OFF-CALENDAR	
N	06/13/2013	NOTICE OF WITHDRAWAL OF MOTION TO COMPEL DISCOVERY FILED BY ALAN IRVING MOSS.	-	
N	06/11/2013	AMENDED SEPERATE STATEMENT IN SUPPORT OF MOTION TO COMPEL RESPONSES TO DISCOVERY FILED BY ALAN IRVING MOSS.	-	
N	06/11/2013	PLAINTIFFS REQUEST TO PROVIDE ORAL EVIDENCE AT HEARING ON MOTION TO COMPEL, FILED.	-	
	06/10/2013 9:00 AM DEPT. PJ	JURY TRIAL. TIME ESTIMATE: 4 DAYS 00:00 HOURS. - <u>Minutes</u>	CONTINUED NOT HEARD	N/A
	05/23/2013 9:30 AM DEPT. 7	MANDATORY SETTLEMENT CONFERENCE - <u>Minutes</u>	CONTINUED NOT HEARD	N/A
	05/20/2013 9:00 AM DEPT. LM	HEARING RE: MOTION TO COMPEL RESPONSES TO DISCOVERY: SPECIAL INTERROGATORIES SET ONE. - <u>Minutes</u>	CONTINUED NOT HEARD	
N	05/16/2013	NOTICE OF ENTRY OF ORDER ON DEFENDANTS MOTION FOR TERMINATING SANCTIONS, ETC FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	05/16/2013	STIPULATION TO CONTINUE HEARING DATE ON PLTFS MOTION TO COMPEL RESPONSES FOR 5/20/13; RECEIVED.	-	
N	05/13/2013	FURTHER DECLARATION OF ALAN MOSS IN SUPPORT OF MOTION TO COMPEL RESPONSES, FILED.	-	
N	05/13/2013	DECLARATION OF JILL HERNANDEZ IN SUPPORT OF MOTION TO COMPEL RESPONSES TO SPECIAL INTERROGATORIES	-	
N	05/13/2013	REPLY MEMORANDUM IN SUPPORT OF MOTION TO COMPEL RESPONSES TO SPECIAL INTERROGATORIES, FILED.	-	
N	05/13/2013	ORDER ON MOTION FOR SANCTIONS/TO COMPEL RESPONSES, SIGNED BY JUDGE SWOPE ON 05/10/13, FILED.	-	
N	05/10/2013	LETTER DATED MAY 6, 2013 FROM ALAN MOSS RECEIVED.	-	

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		REQUEST FOR SANCTIONS		
	10/04/2013	PROPOSED ORDER RECEIVED.	-	N/A
N	10/04/2013	PROPOSED ORDER RECEIVED.	-	
N	10/04/2013	DECLARATION OF ALAN MOSS IN SUPPORT OF MOTION TO AMEND COMPLAINT	-	
N	10/04/2013	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN IRVING MOSS IN SUPPORT OF PLAINTIFFS MOTION TO AMEND COMPLAINT	-	
N	10/04/2013	NOTICE OF MOTION AND MOTION FOR LEAVE TO FILE AMENDED COMPLAINT FILED BY ALAN IRVING MOSS	-	
	10/04/2013	COURT REPORTER FEE OF \$30.00 PAID BY ALAN IRVING MOSS.	-	
N	09/24/2013	PROOF OF SERVICE (BY MAIL) OF DEFENDANTS NOTICE OF MOTION FOR SUMMARY JUDGMENT, ETC. SERVED ON MR. ALAN IRVING MOSS WITH A SERVICE DATE OF 09/24/13 FILED.	-	
N	09/24/2013	REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT/ADJUDICATION.	-	
N	09/24/2013	DECLARATION OF ELENA KOUVABINA IN SUPPORT OF BANK OF NEW YORK MOTION FOR SUMMARY JUDGMENT	-	
N	09/24/2013	DECLARATION OF GINA JOHNSON IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT	-	
N	09/24/2013	SEPARATELY BOUND VOLUME OF EVIDENCE IN SUPPORT OF DEFENDANTS MSJ/MSA, FILED.	-	
N	09/24/2013	SEPARATE STATEMENT OF UNDISPUTED MATERIAL FACTS IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT, FILED.	-	
	09/24/2013	MOTION FOR SUMMARY JUDGMENT SET BY EARLIER NOTICE FILED; FEES PAID.	-	
N	09/24/2013	MOTION FOR SUMMARY JUDGMENT/SUMMARY ADJUDICATION OF ISSUES FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A. AGAINST THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	09/23/2013	PROOF OF SERVICE (BY MAIL) OF NOTICE OF MOTION TO COMPEL RESPONSES; STATEMENT; DECLARATION SERVED ON ALAN IRVING MOSS WITH A SERVICE DATE OF 09/20/13 FILED.	-	
N	09/23/2013	DECLARATION OF ELENA KOUVABINA IN SUPPORT OF BANK OF NY MOTION TO COMPEL RESPONSES TO DISCOVERY	-	
	09/23/2013	COURT REPORTER FEE OF \$30.00 PAID BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
	09/23/2013	MOTION FEE PAID BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	09/20/2013	DEFENDANTS SEPARATE STATEMENT IN SUPPORT OF MOTION TO COMPEL, FILED.	-	
N	09/20/2013	MOTION TO COMPEL RESPONSES TO DISCOVERY, TO DEEM MATTERS ADMITTED AND FOR AWARD OF SANCTIONS FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	09/12/2013	(S) MOTION FOR SUMMARY JUDGMENT AS TO 1ST AMENDED COMPLAINT OF ALAN MOSS FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
	09/12/2013	COURT REPORTER FEE OF \$30.00 PAID BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	

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## Case CIV486130 - ALAN MOSS VS. THE BANK OF NEW YORK TRUST ET AL.

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Viewed	Date	Action Text	Disposition	Image
	10/25/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: TO COMPEL RESPONSES TO DISCOVERY, TO DEEM MATTERS ADMITTED, AND AWARDING SANCTIONS BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <a href="#">Minutes</a>	COMPLETED	
N	10/22/2013	PROOF OF SERVICE OF DEFENDANTS OPPOSITION, ETC SERVED ON ALAN IRVING MOSS BY MAIL; EMAIL WITH A SERVICE DATE OF 10/22/13.	-	
N	10/22/2013	DECLARATION OF ELENA KOUVABINA IN SUPPORT OF DEFENDANTS OPPOSITION TO MOTION TO AMEND COMPLAINT	-	
N	10/22/2013	DECLARATION OF PETER KNAPP IN SUPPORT OF OPPOSITION TO PLAINTIFFS MOTION TO AMEND	-	
N	10/22/2013	OPPOSITION TO PLAINTIFF MOSS'S MOTION TO AMEND THE FOURTH AMENDED COMPLAINT FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
N	10/18/2013	REPLY TO IN SUP OF ITS MOTION TO COMPEL RESPONSES TO DISCOVERY TO DEEM MATTERS, ETC FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
N	10/18/2013	PROOF OF SERVICE (BY MAIL) OF DEFTS REP SEP STMT, DEC IN SUP OF MOTION TO COMPEL, RELATED DOCUMENTS SERVED ON SEE LIST WITH A SERVICE DATE OF 10/18/13 FILED.	-	
N	10/18/2013	SUPPLEMENTAL DEC IN SUP OF MOTION TO COMPEL RESPONSES TO DISCOVERY TO DEEM MATTERS SPECIFIED, ETC FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	10/18/2013	REPLY TO SEPARATE STATEMENT FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
N	10/15/2013	DECLARATION OF ALAN MOSS IN SUPPOR OF PLTFS OPPOSITION TO DEFS MOTION TO COMPEL DISCOVERY FILED BY ALAN IRVING MOSS	-	
N	10/15/2013	ALAN IRVING MOSS'S RESPONSE IN OPPOSITION TO DEFS SEPARATE STATEMENT RE: MOTION TO COMPEL DISCOVERY FILED.	-	
N	10/15/2013	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN IRVING MOSS IN OPPOSITION TO DEFS MOTION TO COMPEL&	-	

		MOSS		
N	11/12/2013	PROOF OF SERVICE OF OPPOSITION TO MOTION TO QUASH, ETC. SERVED ON MR. ALAN IRVING MOSS BY MAIL; ELECTRONIC WITH A SERVICE DATE OF 11/12/13.	-	
N	11/12/2013	DECLARATION OF ELENA KOUIVABINA IN SUPPORT OF BANK OF NEW YORK MELLON OPPOSITION TO MOTION TO QUASH	-	
N	11/12/2013	DECLARATION OF GINA JOHNSON ISO MOTION FOR SUMMARY JUDGMENT	-	
N	11/12/2013	OPPOSITION TO PLAINTIFFS MOTION TO QUASH SUBPOENAS AND A REQUEST FOR AWARD OF EXPENSES FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
N	11/07/2013	PROOF OF SERVICE OF NOTICE OF MOTION TO COMPEL, ETC. SERVED ON MR. ALAN IRVING MOSS BY MAIL; ELECTRONIC MAIL WITH A SERVICE DATE OF 11/07/13.	-	
N	11/07/2013	DECLARATION OF ELENA KOUABABINA IN SUPPORT OF MOTION TO COMPEL RESPONSES TO SUBPOENA	-	
	11/07/2013	COURT REPORTER FEE OF \$30.00 PAID BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
	11/07/2013	MOTION FEE PAID BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
N	11/07/2013	NOTICE OF MOTION AND MOTION TO COMPEL RESPONSES TO SUPBOENA BY SAND CANYON CORPORATION FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
	11/04/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: FOR LEAVE TO FILE AMENDED COMPLAINT FILED BY ALAN IRVING MOSS - <a href="#">Minutes</a>	COMPLETED	
	11/01/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: TO COMPEL RESPONSES TO DISCOVERY, TO DEEM MATTERS ADMITTED, AND AWARDED SANCTIONS BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <a href="#">Minutes</a>	CONTINUED	
N	10/28/2013	DECLARATION OF ALAN MOSS IN SUPPORT OF PLTFS MOTION TO AMEND COMPLAINT FILED BY ALAN IRVING MOSS	-	
N	10/28/2013	REPLY TO MEMO OF P & A IN SUPPORT OF PLTFS MOTION TO AMEND COMPLAINT FILED BY ALAN IRVING MOSS	-	
N	10/28/2013	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN IRVING MOSS IN SUPPORT OF MOTION FOR ORDER QUASHING SUBPOENAS DUCES TECUM	-	
N	10/28/2013	DECLARATION OF ALAN MOSS IN SUPPORT OF MOTION FOR ORDER QUASHING SUBPOENA DUCES TECUM	-	
N	10/28/2013	NOTICE OF MOTION AND MOTION TO QUASH SUBPOENAS ISSUED BY DEFENDANT THE BANK OF NEW YORK TRUST FILED BY ALAN IRVING MOSS	-	

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N	11/27/2013	PROOF OF SERVICE OF OPPOSITION TO MOTION TO COMPEL WITH SUP DOCS SERVED ON SEE SERVICE LIST BY MAIL/EMAIL WITH A SERVICE DATE OF 11/27/13.	-	
N	11/27/2013	DECLARATION OF ELENA KOUVABINA IN SUPPORT OF OPPOSITION TO MOTION TO COMPEL	-	
N	11/27/2013	SEPARATE STATEMENT OF IN OPPOSITION TO PLAINTIFFS MOTION TO COMPEL RESPONSES TO DISCOVERY, FILED.	-	
N	11/27/2013	OPPOSITION TO PLAINTIFFS MOTION TO COMPEL FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A.	-	
	11/27/2013	COURT RECORD CORRECTED AS TO HEARING DATE OF MOTION TO COMPEL RESPONSES TO SUBPOENA.	-	
N	11/27/2013	DECLARATION OF ALAN MOSS IN SUPPORT OF OPPOSITION TO MOTION FOR SUMMARY JUDGMENT	-	
N	11/27/2013	OBJECTION TO EVIDENCE PROFFERED BY DEFEDNANT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT FILED BY ALAN IRVING MOSS	-	
N	11/27/2013	ALAN IRVING MOSS'S RESPONSE TO SEPARATE STATEMENT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT FILED.	-	
N	11/27/2013	DECLARATION OF ALAN MOSS IN SUPPORT OF REQUEST FOR CONTINUANCE RE: MOTION FOR SUMMARY JUDGMENT	-	
N	11/27/2013	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN IRVING MOSS IN OPPOSITION TO MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE, SUMMARY ADJUDICATION	-	
	11/25/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: MOTION TO QUASH SUBPOENAS ISSUED BY THE BANK OF NEW YORK BY ALAN IRVING MOSS - <a href="#">Minutes</a>	CONTINUED	
N	11/22/2013	DECLARATION OF ALAN MOSS IN SUPPORT OF REPLY MEMORANDUM RE: MOTION FOR ORDER QUASHING SUBPOENA	-	
N	11/22/2013	REPLY MPA IN SUPPORT OF MOTIO FOR ORDER QUASHING SUBPOENAS DUCES TECUM, FILED.	-	
	11/21/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: TO COMPEL RESPONSES TO DISCOVERY, TO DEEM MATTERS ADMITTED, AND AWARDING SANCTIONS BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <a href="#">Minutes</a>	CONTINUED	
	11/21/2013	(PROPOSED) ORDER AND STIP RE: MOTION TO COMPEL SENT TO JUDGE BUCHWALD FOR REVIEW.	-	
N	11/14/2013	ONE LEGAL PROOF OF SERVICE OF MOTION TO COMPEL RESPONSES TO SUBPOENA, FILED.	-	
N	11/13/2013	DECLARATION OF ALAN MOSS IN SUPPORT OF MOTION TO COMPEL RESPONSES TO SPECIAL INTERROGATORIES	-	
N	11/13/2013	SEPARATE STATEMENT PURSUANT TO CRC 3.1345 IN SUPPORT OF MOTION TO COMPEL RESPONSES, FILED.	-	
N	11/13/2013	MEMORANDUM OF POINTS AND AUTHORITIES FILED BY ALAN IRVING MOSS IN SUPPORT OF MOTION TO COMPEL RESPONSES TO SPECIAL INTERROGATORIES SET ONE	-	
	11/13/2013	COURT REPORTER FEE OF \$30.00 PAID BY ALAN IRVING MOSS.	-	
	11/13/2013	MOTION FEE PAID BY ALAN IRVING MOSS.	-	
N	11/13/2013	NOTICE OF MOTION AND MOTION TO COMPEL RESPONSES TO DISCOVERY SPECIAL INTERROGATORIES FILED BY ALAN IRVING	-	

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Case CIV486130 - ALAN MOSS VS. THE BANK OF NEW YORK TRUST ET AL.

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	01/13/2014 9:00 AM DEPT. PJ	JURY TRIAL. TIME ESTIMATE: 4 DAYS 00:00 HOURS.	VACATED	N/A
N	12/23/2013	PROOF OF SERVICE OF DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS, FILED.	-	
N	12/23/2013	ORDER AND STIPULATION TO RE-SET TIME LIMIT FOR DEFS. TO FILE RESPONSE, SIGNED BY JUDGE SCOTT ON 12/19/13 FILED.	-	
	12/16/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: TO COMPEL RESPONSES TO SUBPOENA BY SAND CANYON CORPORATION AND FOR SANCTIONS BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <a href="#">Minutes</a>	COMPLETED	
	12/13/2013 9:30 AM DEPT. 7	MANDATORY SETTLEMENT CONFERENCE	VACATED	N/A
	12/13/2013 9:00 AM DEPT. LM	MOTION FOR SUMMARY JUDGMENT AS TO 1ST AMENDED COMPLAINT OF ALAN MOSS FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <a href="#">Minutes</a>	COMPLETED	
N	12/09/2013	NOTICE OF ENTRY OF DISMISSAL AND PROOF OF SERVICE FILED BY THE BANK OF NEW YORK TRUST COMPANY, N.A..	-	
	12/09/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: MOTION TO QUASH SUBPOENAS ISSUED BY THE BANK OF NEW YORK BY ALAN IRVING MOSS - <a href="#">Minutes</a>	OFF-CALENDAR	
	12/09/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: TO COMPEL RESPONSES TO DISCOVERY, TO DEEM MATTERS ADMITTED, AND AWARDED SANCTIONS BY THE BANK OF NEW YORK TRUST COMPANY, N.A. - <a href="#">Minutes</a>	OFF-CALENDAR	
	12/09/2013 9:00 AM DEPT. LM	HEARING: MOTION RE: TO COMPEL RESPONSES TO DISCOVERY; SPECIAL INTERROGATORIES BY ALAN IRVING MOSS - <a href="#">Minutes</a>	OFF-CALENDAR	
N	12/05/2013	REQUEST FOR DISMISSAL OF ENTIRE ACTION WITH PREJUDICE FILED AND ENTERED.	-	
N	12/02/2013	PLAINTIFFS REPLY MPA IN SUPPORT OF MOTION TO COMPEL RESPONSES TO SPEC. INTERROGATORIES, FILED.	-	



**EXHIBIT SEVEN**

**U.S. District Court**  
**California Northern District (San Francisco)**  
**CIVIL DOCKET FOR CASE #: 3:10-cv-01734-JSW**

Moss v. The Bank of New York Trust Company  
Assigned to: Hon. Jeffrey S. White  
Case in other court: San Mateo County Superior Court,  
CIV486130  
Cause: 28:1441 Petition For Removal--Other Contract

Date Filed: 04/22/2010  
Date Terminated: 06/26/2012  
Jury Demand: None  
Nature of Suit: 220 Real Property:  
Foreclosure  
Jurisdiction: Diversity

**Plaintiff**

**Alan Irving Moss**

represented by **Alan Irving Moss**  
P.O. Box 721  
Moss Beach, CA 94038  
415-296-7500  
Fax: 415-296-9034  
PRO SE

V.

**Defendant**

**The Bank of New York Trust Company**

represented by **David R Endres**  
TFLG, A Law Corporation  
2121 2nd Street, Ste C105  
Davis, CA 95618  
530-750-3700  
Email: dendres@dre-apc.com  
*TERMINATED: 05/05/2011*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Edward Rick Buell , III**  
Sevrson & Werson  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Elena Konstantinovna Kouwabina**  
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530-750-3700  
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**ATTORNEY TO BE NOTICED**

**Noah M Bean**  
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Fax: 530-750-3366  
Email: noah.bean@tflglaw.com  
**TERMINATED: 05/05/2011**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/22/2010	<u>1</u>	NOTICE OF REMOVAL from San Mateo County Superior Court. Their case number is CIV486130. (Filing fee \$350 receipt number 34611044970). Filed byThe Bank of

		New York Trust Company. (far, COURT STAFF) (Filed on 4/22/2010) (far, COURT STAFF). (Entered: 04/23/2010)
04/22/2010		CASE DESIGNATED for Electronic Filing. (far, COURT STAFF) (Filed on 4/22/2010) (Entered: 04/23/2010)
04/22/2010	<u>2</u>	ADR SCHEDULING ORDER: Case Management Statement due by 7/29/2010. Case Management Conference set for 8/5/2010 03:30 PM in Courtroom 6, 17th Floor, San Francisco. (Attachments: # <u>1</u> Standing Order)(far, COURT STAFF) (Filed on 4/22/2010) (Entered: 04/23/2010)
05/06/2010	<u>3</u>	Summons Issued as to The Bank of New York Trust Company. (far, COURT STAFF) (Filed on 5/6/2010) (Entered: 05/07/2010)
05/14/2010	<u>4</u>	<b>ERRONEOUSLY E-FILED, DISREGARD - SEE DOC <u>5</u></b> MOTION to Dismiss filed by The Bank of New York Trust Company. Motion Hearing set for 6/24/2010 10:00 AM in Courtroom 6, 17th Floor, San Francisco. (Beckmann, James) (Filed on 5/14/2010) Modified on 6/8/2010 (far, COURT STAFF). (Entered: 05/14/2010)
05/14/2010	<u>5</u>	MOTION to Dismiss filed by The Bank of New York Trust Company. Motion Hearing set for 6/24/2010 10:00 AM in Courtroom 6, 17th Floor, San Francisco. (Attachments: # <u>1</u> Memorandum of Points and Authorities)(Beckmann, James) (Filed on 5/14/2010) (Entered: 05/14/2010)
05/19/2010	<u>6</u>	CERTIFICATE OF SERVICE by The Bank of New York Trust Company re <u>1</u> Notice of Removal (Beckmann, James) (Filed on 5/19/2010) (Entered: 05/19/2010)
06/03/2010	<u>7</u>	Memorandum in Opposition re <u>5</u> MOTION to Dismiss filed by Alan Irving Moss. (far, COURT STAFF) (Filed on 6/3/2010) (Entered: 06/08/2010)
06/14/2010	<u>8</u>	ORDER TO SHOW CAUSE. Show Cause Response due by Wednesday, 6/16/2010 at 5PM. (vrwlc2, COURT STAFF) (Filed on 6/14/2010) (Entered: 06/14/2010)
06/16/2010	<u>9</u>	MEMORANDUM OF POINTS AND AUTHORITIES IN REPLY TO <u>8</u> ORDER TO SHOW CAUSE filed by The Bank of New York Trust Company. (Attachments: # <u>1</u> Exhibit Copy of U.S. District Court Order, # <u>2</u> Exhibit Declaration)(Beckmann, James) (Filed on 6/16/2010) Modified on 6/17/2010 (far, COURT STAFF). (Entered: 06/16/2010)
06/17/2010	<u>10</u>	REQUEST for Leave to File Response to Defendant's Reply to Order to Show Cause filed by Alan Irving Moss. (far, COURT STAFF) (Filed on 6/17/2010) (Entered: 06/18/2010)
06/18/2010	<u>11</u>	ORDER granting <u>10</u> Motion for Leave to File. Plaintiff may file a response of no more than 10 pages on or before Tuesday, June 22, 2010 at 5PM. (vrwlc2, COURT STAFF) (Filed on 6/18/2010) (Additional attachment(s) added on 6/18/2010: # <u>1</u> certificate of service) (sis, COURT STAFF). (Entered: 06/18/2010)
06/21/2010	<u>12</u>	CLERKS NOTICE Continuing Motion Hearing. The hearing on Defendant's motion to dismiss and motion to expunge, doc #5 has been continued from 6/24/2010 to 8/5/2010 at 10:00 AM. The 6/24/2010 hearing is vacated. Motion Hearing set for

		8/5/2010 10:00 AM in Courtroom 6, 17th Floor, San Francisco. (Attachments: # <u>1</u> proof of service) (cgk, COURT STAFF) (Filed on 6/21/2010) (Entered: 06/21/2010)
06/22/2010	<u>13</u>	REPLY to Defendant's Response to Order to Show Cause filed by Alan Irving Moss. (far, COURT STAFF) (Filed on 6/22/2010) (Entered: 06/23/2010)
06/22/2010	<u>14</u>	DECLARATION of Alan Moss in Support of <u>13</u> Reply filed by Alan Irving Moss. (Related document(s) <u>13</u> ) (far, COURT STAFF) (Filed on 6/22/2010) (Entered: 06/23/2010)
06/30/2010	<u>15</u>	ORDER granting in part and denying in part <u>5</u> Motion to Dismiss; vacating August 5, 2010 hearing. Plaintiff may amend his complaint, consistent with this order, on or before August 26, 2010. (vrwlc2, COURT STAFF) (Filed on 6/30/2010) (Entered: 06/30/2010)
06/30/2010		***Deadlines terminated. (far, COURT STAFF) (Filed on 6/30/2010) (Entered: 07/01/2010)
07/01/2010	<u>16</u>	CERTIFICATE OF SERVICE re <u>15</u> Order on Motion to Dismiss. (cgk, COURT STAFF) (Filed on 7/1/2010) (Entered: 07/01/2010)
08/19/2010	<u>17</u>	MOTION for Extension of Time to File Amended Complaint filed by Alan Irving Moss. (far, COURT STAFF) (Filed on 8/19/2010) (Entered: 08/23/2010)
08/25/2010	<u>18</u>	ORDER by Judge Vaughn R Walker granting doc <u>17</u> Plaintiff's Motion for Extension of Time to File Amended Complaint for additional 30 days. The amended complaint is due on or before 9/27/2010. (cgk, COURT STAFF) (Filed on 8/25/2010) (Entered: 08/25/2010)
09/27/2010	<u>19</u>	AMENDED COMPLAINT against The Bank of New York Trust Company. Filed by Alan Irving Moss. (far, COURT STAFF) (Filed on 9/27/2010) (Entered: 09/28/2010)
10/12/2010	<u>20</u>	CLERKS NOTICE. Case Management Conference has been scheduled in this case for January 6, 2011 at 3:30 PM. The parties are directed to file a Joint Case Management Conference Statement one week prior to the conference. Parties requesting a continuation shall file a stipulation with a proposed order. If parties are unable to get a stipulation, the requesting party shall file an ex parte application with a proposed order. DEFENDANT shall serve this Notice and file with the Court, proof of service, on the Plaintiff and/or any party in this action not appearing on the courts electronic mail notification and/or the certificate of service. (cgk, COURT STAFF) (Filed on 10/12/2010) (Entered: 10/12/2010)
10/12/2010		Set Deadlines/Hearings: Case Management Statement due by 12/30/2010. Case Management Conference set for 1/6/2011 03:30 PM in Courtroom 6, 17th Floor, San Francisco. (cgk, COURT STAFF) (Filed on 10/12/2010) (Entered: 10/12/2010)
10/18/2010	<u>21</u>	Second MOTION to Dismiss <i>Second Amended Complaint</i> filed by The Bank of New York Trust Company. Motion Hearing set for 12/23/2010 10:00 AM in Courtroom 6, 17th Floor, San Francisco. (Attachments: # <u>1</u> Supplement Request for Judicial Notice in Support of Motion to Dismiss, # <u>2</u> Exhibit Exhibit 1 to RJN, # <u>3</u> Exhibit Exhibit 2

		to RJN, # <u>4</u> Exhibit Exhibit 3 to RJN, # <u>5</u> Exhibit Exhibit 4 to RJN, # <u>6</u> Exhibit Exhibit 5 to RJN, # <u>7</u> Exhibit Exhibit 6 to RJN, # <u>8</u> Exhibit Exhibit 7 to RJN) (Fernandez, Eric) (Filed on 10/18/2010) (Entered: 10/18/2010)
10/19/2010	<u>22</u>	CERTIFICATE OF SERVICE by The Bank of New York Trust Company re <u>21</u> Second MOTION to Dismiss <i>Second Amended Complaint</i> (Fernandez, Eric) (Filed on 10/19/2010) (Entered: 10/19/2010)
10/26/2010	<u>23</u>	CERTIFICATE OF SERVICE by The Bank of New York Trust Company re <u>20</u> Clerks Notice,, (Fernandez, Eric) (Filed on 10/26/2010) (Entered: 10/26/2010)
12/03/2010	<u>25</u>	MEMORANDUM OF POINTS AND AUTHORITIES in OPPOSITION to <u>21</u> Second MOTION to Dismiss <i>Second Amended Complaint</i> filed by Alan Irving Moss. (far, COURT STAFF) (Filed on 12/3/2010) (Entered: 12/06/2010)
12/03/2010	<u>26</u>	Request for Judicial Notice re <u>25</u> Memorandum in Opposition filed by Alan Irving Moss. (Related document(s) <u>25</u> ) (far, COURT STAFF) (Filed on 12/3/2010) (Entered: 12/06/2010)
12/03/2010	<u>27</u>	MOTION Pursuant to Local Rule of Court 6-3 for Additional Time within which to file response to motion to dismiss filed by Alan Irving Moss. (Attachments: # <u>1</u> Proposed Order)(far, COURT STAFF) (Filed on 12/3/2010) (Entered: 12/06/2010)
12/06/2010	<u>24</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Jeffrey S. White for all further proceeding. Judge Hon. Vaughn R. Walker no longer assigned to the case. Signed by Executive Committee on 12/6/10. (mab, COURT STAFF) (Filed on 12/6/2010) (Entered: 12/06/2010)
12/10/2010	<u>28</u>	Second MOTION to Dismiss <i>Second Amended Complaint</i> filed by The Bank of New York Trust Company. Motion Hearing set for 2/4/2011 09:00 AM in Courtroom 11, 19th Floor, San Francisco. (Attachments: # <u>1</u> Supplement Request for Judicial Notice in Support of Motion to Dismiss, # <u>2</u> Exhibit Exhibit 1 to RJN, # <u>3</u> Exhibit Exhibit 2 to RJN, # <u>4</u> Exhibit Exhibit 3 to RJN, # <u>5</u> Exhibit Exhibit 4 to RJN, # <u>6</u> Exhibit Exhibit 5 to RJN, # <u>7</u> Exhibit Exhibit 6 to RJN, # <u>8</u> Exhibit Exhibit 7 to RJN)(Bean, Noah) (Filed on 12/10/2010) (Entered: 12/10/2010)
12/10/2010	<u>29</u>	CERTIFICATE OF SERVICE by The Bank of New York Trust Company re <u>28</u> Second MOTION to Dismiss <i>Second Amended Complaint</i> (Bean, Noah) (Filed on 12/10/2010) (Entered: 12/10/2010)
12/13/2010	<u>30</u>	ORDER SETTING BRIEFING SCHEDULE. Signed by Judge JEFFREY S. WHITE on 12/13/10. (jjoS, COURT STAFF) (Filed on 12/13/2010) (Entered: 12/13/2010)
12/21/2010	<u>31</u>	STIPULATION re <u>28</u> Second MOTION to Dismiss <i>Second Amended Complaint</i> , <u>30</u> Order and [Proposed] Order Extending Briefing Schedule by Alan Moss and by The Bank of New York Trust Company. (Bean, Noah) (Filed on 12/21/2010) (Entered: 12/21/2010)
12/21/2010	<u>32</u>	ORDER GRANTING <u>31</u> Stipulation to Continue Filing Deadlines. Signed by Judge Jeffrey S. White on December 21, 2010. (jswlc2, COURT STAFF) (Filed on 12/21/2010) (Entered: 12/21/2010)

01/10/2011	<u>33</u>	MEMORANDUM in Opposition re <u>28</u> Second MOTION to Dismiss <i>Second Amended Complaint</i> filed by Alan Irving Moss. (Related document(s) <u>28</u> ) (hdj, COURT STAFF) (Filed on 1/10/2011) (Entered: 01/12/2011)
01/10/2011	<u>34</u>	Request for Judicial Notice re <u>33</u> Memorandum in Opposition filed by Alan Irving Moss. (Related document(s) <u>33</u> ) (hdj, COURT STAFF) (Filed on 1/10/2011) Modified on 1/12/2011 (hdj, COURT STAFF). (Entered: 01/12/2011)
01/10/2011	<u>35</u>	Declaration of Alan Moss in Support of <u>33</u> Memorandum in Opposition filed by Alan Irving Moss. (Related document(s) <u>33</u> ) (hdj, COURT STAFF) (Filed on 1/10/2011) (Entered: 01/12/2011)
01/21/2011	<u>36</u>	Reply to Opposition re <u>28</u> Second MOTION to Dismiss <i>Second Amended Complaint</i> filed by The Bank of New York Trust Company. (Bean, Noah) (Filed on 1/21/2011) (Entered: 01/21/2011)
02/02/2011	<u>37</u>	ORDER VACATING HEARING. Signed by Judge Jeffrey S. White on 2/1/11. (jjoS, COURT STAFF) (Filed on 2/2/2011) (Entered: 02/02/2011)
02/11/2011	<u>38</u>	NOTICE by The Bank of New York Trust Company of <i>Change of Firm Name</i> (Bean, Noah) (Filed on 2/11/2011) (Entered: 02/11/2011)
03/07/2011	<u>39</u>	ORDER by Judge Jeffrey S. White granting in part and denying in part <u>28</u> Motion to Dismiss; setting deadline/hearing dates. (Attachments: # <u>1</u> COS) (sis, COURT STAFF) (Filed on 3/7/2011) (Entered: 03/07/2011)
03/07/2011		Set Deadlines/Hearings: Case Management Statement due by 4/15/2011. Case Management Conference set for 4/22/2011 01:30 PM in Courtroom 11, 19th Floor, San Francisco. (sis, COURT STAFF) (Filed on 3/7/2011) (Entered: 03/07/2011)
03/25/2011	<u>40</u>	ANSWER to Amended Complaint ( <i>Second</i> ) by The Bank of New York Trust Company. (Bean, Noah) (Filed on 3/25/2011) (Entered: 03/25/2011)
03/25/2011	<u>41</u>	CERTIFICATE OF SERVICE by The Bank of New York Trust Company re <u>40</u> Answer to Amended Complaint ( <i>Second</i> ) (Bean, Noah) (Filed on 3/25/2011) (Entered: 03/25/2011)
03/25/2011	<u>42</u>	MOTION to Amend/Correct Complaint filed by Alan Irving Moss. Motion Hearing set for 5/13/2011 09:00 AM before Hon. Jeffrey S. White. (hdj, COURT STAFF) (Filed on 3/25/2011) (Entered: 03/29/2011)
03/25/2011	<u>43</u>	MEMORANDUM in Support re <u>42</u> MOTION to Amend/Correct filed by Alan Irving Moss. (Related document(s) <u>42</u> ) (hdj, COURT STAFF) (Filed on 3/25/2011) (Entered: 03/29/2011)
03/25/2011	<u>44</u>	Declaration of Alan Moss in Support of <u>42</u> MOTION to Amend/Correct filed by Alan Irving Moss. (Related document(s) <u>42</u> ) (hdj, COURT STAFF) (Filed on 3/25/2011) (Entered: 03/29/2011)
03/25/2011	<u>45</u>	Received Document Second Amended Complaint by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 3/25/2011) (Entered: 03/29/2011)
04/12/2011	<u>46</u>	ORDER VACATING CASE MANAGEMENT CONFERENCE. Signed by Judge

		Jeffrey S. White on 4/12/11. (jjoS, COURT STAFF) (Filed on 4/12/2011) (Entered: 04/12/2011)
04/25/2011	<u>47</u>	ORDER TO SHOW CAUSE AND VACATING HEARING DATE. Signed by Judge Jeffrey S. White on 4/25/11. (jjoS, COURT STAFF) (Filed on 4/25/2011) (Entered: 04/25/2011)
05/02/2011	<u>48</u>	NOTICE of Substitution of Counsel by Edward Rick Buell, III for Defendant Bank of New York Trust and [Proposed] Order (Buell, Edward) (Filed on 5/2/2011) (Entered: 05/02/2011)
05/02/2011	<u>49</u>	RESPONSE TO ORDER TO SHOW CAUSE by The Bank of New York Trust Company and Notice of Non-Opposition to Motion for Leave to File Second Amended Complaint. (Buell, Edward) (Filed on 5/2/2011) (Entered: 05/02/2011)
05/04/2011	<u>52</u>	MOTION to File Motion for Reconsideration filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 5/4/2011) (Entered: 05/06/2011)
05/04/2011	<u>53</u>	Declaration of Alan Moss in Support of <u>52</u> MOTION filed by Alan Irving Moss. (Related document(s) <u>52</u> ) (hdj, COURT STAFF) (Filed on 5/4/2011) (Entered: 05/06/2011)
05/04/2011	<u>54</u>	Proposed Order re <u>52</u> MOTION by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 5/4/2011) (Entered: 05/06/2011)
05/05/2011	<u>50</u>	ORDER GRANTING <u>48</u> Notice of Substitution of Counsel. Defendant is Ordered to Serve a copy of Order on Plaintiff. Signed by Judge Jeffrey S. White on May 3, 2011. (jswlc3, COURT STAFF) (Filed on 5/5/2011) (Entered: 05/05/2011)
05/06/2011	<u>51</u>	ORDER DISCHARGING ORDER TO SHOW CAUSE; GRANTING IN PART <u>42</u> MOTION to Amend/Correct ; and SETTING INITIAL CASE MANAGEMENT: Case Management Statement due by 6/24/2011. Case Management Conference set for 7/1/2011 01:30 PM in Courtroom 11, 19th Floor, San Francisco.. Signed by Judge JEFFREY S.WHITE on 5/6/11. (jjoS, COURT STAFF) (Filed on 5/6/2011) (Entered: 05/06/2011)
05/10/2011	<u>55</u>	ORDER by Judge Jeffrey S. White denying <u>52</u> Motion for Reconsideration (jjoS, COURT STAFF) (Filed on 5/10/2011) (Entered: 05/10/2011)
05/13/2011	<u>56</u>	(Second) AMENDED COMPLAINT against The Bank of New York Trust Company. Filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 5/13/2011) (Entered: 05/16/2011)
05/31/2011	<u>57</u>	MOTION to Dismiss Plaintiff's Second Amended Complaint; Motion to Strike Portions of Second Amended Complaint filed by The Bank of New York Trust Company. Motion Hearing set for 8/12/2011 09:00 AM in Courtroom 11, 19th Floor, San Francisco before Hon. Jeffrey S. White. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Certificate of Service)(Kouvabina, Elena) (Filed on 5/31/2011) (Entered: 05/31/2011)
05/31/2011	<u>58</u>	Request for Judicial Notice re <u>57</u> MOTION to Dismiss Plaintiff's Second Amended Complaint; Motion to Strike Portions of Second Amended Complaint filed by The Bank of New York Trust Company. (Attachments: # <u>1</u> Exhibit A-K)(Related



		document(s) <u>57</u> ) (Kouvabina, Elena) (Filed on 5/31/2011) (Entered: 05/31/2011)
06/01/2011	<u>59</u>	ORDER SETTING BRIEFING SCHEDULE REGARDING MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT. Signed by Judge Jeffrey S. White on 6/1/11. (jjoS, COURT STAFF) (Filed on 6/1/2011) (Entered: 06/01/2011)
06/15/2011	<u>60</u>	STIPULATION TO VACATE ORDER SETTING BRIEFING SCHEDULE REGARDING THE BANK OF NEW YORK TRUST COMPANY'S MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT AND MOTION TO STRIKE PORTIONS OF PLAINTIFFS SECOND AMENDED COMPLAINT; [PROPOSED] ORDER by Alan Irving Moss, The Bank of New York Trust Company. (Kouvabina, Elena) (Filed on 6/15/2011) (Entered: 06/15/2011)
06/16/2011	<u>61</u>	ORDER GRANTING AS MODIFIED <u>60</u> Stipulation TO VACATE ORDER SETTING BRIEFING SCHEDULE REGARDING THE BANK OF NEW YORK TRUST COMPANY'S MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT AND MOTION TO STRIKE PORTIONS OF PLAINTIFFS SECOND AMENDED COMPLAINT. Signed by Judge Jeffrey S. White on 6/16/11. (jjoS, COURT STAFF) (Filed on 6/16/2011) (Additional attachment(s) added on 6/16/2011: # <u>1</u> Certificate of Service) (jjoS, COURT STAFF). (Entered: 06/16/2011)
06/24/2011	<u>62</u>	CLERKS NOTICE CONTINUING CASE MANAGEMENT CONFERENCE: Case Management Statement due by 9/2/2011. Case Management Conference set for 9/9/2011 01:30 PM in Courtroom 11, 19th Floor, San Francisco. (jjoS, COURT STAFF) (Filed on 6/24/2011) (Entered: 06/24/2011)
06/24/2011	<u>63</u>	NOTICE by The Bank of New York Trust Company <i>OF PENDENCY OF OTHER ACTION OR PROCEEDING [L.R. 3-14]</i> (Kouvabina, Elena) (Filed on 6/24/2011) (Entered: 06/24/2011)
07/01/2011	<u>64</u>	MOTION to Amend/Correct Second Amended Complaint filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 7/1/2011) (Entered: 07/05/2011)
07/01/2011	<u>65</u>	Proposed Order re <u>64</u> MOTION to Amend/Correct by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 7/1/2011) (Entered: 07/05/2011)
07/01/2011	<u>67</u>	Memorandum of Points in Opposition to Third Motion to Dismiss filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 7/1/2011) (Entered: 07/06/2011)
07/06/2011	<u>66</u>	ORDER by Judge JEFFREY S. WHITE striking <u>57</u> Motion to Dismiss; granting <u>64</u> Motion to Amend/Correct ; (jjoS, COURT STAFF) (Filed on 7/6/2011) (Entered: 07/06/2011)
07/07/2011	<u>68</u>	SECOND AMENDED COMPLAINT (Corrected pursuant to <u>66</u> Order) against The Bank of New York Trust Company. Filed by Alan Irving Moss. (slh, COURT STAFF) (Filed on 7/7/2011) (Entered: 07/11/2011)
07/07/2011	<u>69</u>	RESPONSE to defendant's Notice of Related Case by Alan Irving Moss. (slh, COURT STAFF) (Filed on 7/7/2011) (Entered: 07/11/2011)
07/13/2011	<u>70</u>	Certificate of Interested Entities by The Bank of New York Trust Company identifying Corporate Parent The Bank of New York Mellon Trust Company, N.A., Corporate

		Parent The Bank of New York Mellon Corporation for The Bank of New York Trust Company. (Kouvabina, Elena) (Filed on 7/13/2011) (Entered: 07/13/2011)
07/20/2011	<u>71</u>	MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> filed by The Bank of New York Trust Company. Motion Hearing set for 10/7/2011 09:00 AM in Courtroom 11, 19th Floor, San Francisco before Hon. Jeffrey S. White. Responses due by 8/3/2011. Replies due by 8/10/2011. (Attachments: # <u>1</u> Proposed Order [Proposed Order])(Kouvabina, Elena) (Filed on 7/20/2011) (Entered: 07/20/2011)
07/20/2011	<u>72</u>	Request for Judicial Notice re <u>71</u> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> filed by The Bank of New York Trust Company. (Attachments: # <u>1</u> Exhibit Exhibits A-K)(Related document(s) <u>71</u> ) (Kouvabina, Elena) (Filed on 7/20/2011) (Entered: 07/20/2011)
07/20/2011	<u>73</u>	CERTIFICATE OF SERVICE by The Bank of New York Trust Company re <u>72</u> Request for Judicial Notice, <u>71</u> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> (Kouvabina, Elena) (Filed on 7/20/2011) (Entered: 07/20/2011)
08/08/2011	<u>75</u>	RESPONSE (re <u>71</u> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> ) filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 8/8/2011) (Entered: 08/10/2011)
08/10/2011	<u>74</u>	NOTICE by The Bank of New York Trust Company of <i>Non-Receipt of Opposition to its Motion to Dismiss Plaintiff's Second Amended Complaint</i> (Buell, Edward) (Filed on 8/10/2011) (Entered: 08/10/2011)
08/17/2011	<u>76</u>	REPLY (re <u>71</u> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> ) in Support of Its Request for Judicial Notice filed by The Bank of New York Trust Company. (Kouvabina, Elena) (Filed on 8/17/2011) (Entered: 08/17/2011)
08/17/2011	<u>77</u>	REPLY (re <u>71</u> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> MOTION to Dismiss <i>Plaintiff's (Corrected) Second Amended Complaint</i> ) filed by The Bank of New York Trust Company. (Kouvabina, Elena) (Filed on 8/17/2011) (Entered: 08/17/2011)
08/29/2011	<u>78</u>	STIPULATION re <u>62</u> Clerks Notice <i>TO VACATE ORDER RE-SCHEDULING CASE MANAGEMENT CONFERENCE, TO RE-SCHEDULE CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER</i> by The Bank of New York Trust Company. (Kouvabina, Elena) (Filed on 8/29/2011) (Entered: 08/29/2011)
08/29/2011	<u>79</u>	CERTIFICATE OF SERVICE by The Bank of New York Trust Company re <u>78</u> Stipulation <i>TO VACATE ORDER RE-SCHEDULING CASE MANAGEMENT CONFERENCE, TO RE-SCHEDULE CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER</i> (Kouvabina, Elena) (Filed on 8/29/2011) (Entered: 08/29/2011)
08/29/2011	<u>80</u>	ORDER GRANTING <u>78</u> Stipulation <i>TO VACATE ORDER RE-SCHEDULING</i>

		CASE MANAGEMENT CONFERENCE, TO RE-SCHEDULE CASE MANAGEMENT CONFERENCE: Case Management Statement due by 9/9/2011. Case Management Conference set for 9/16/2011 01:30 PM in Courtroom 11, 19th Floor, San Francisco.. Signed by Judge Jeffrey S. White on 8/29/11. (jjoS, COURT STAFF) (Filed on 8/29/2011) (Additional attachment(s) added on 8/29/2011: # <u>1</u> CERTIFICATE OF SERVICE) (jjoS, COURT STAFF). (Entered: 08/29/2011)
08/30/2011	<u>81</u>	CLERKS NOTICE Continuing Hearing on Motion to Dismiss. Motion Hearing set for 10/21/2011 09:00 AM before Hon. Jeffrey S. White. (jjoS, COURT STAFF) (Filed on 8/30/2011) (Entered: 08/30/2011)
09/09/2011	<u>82</u>	JOINT CASE MANAGEMENT STATEMENT AND 26(F) REPORT filed by The Bank of New York Trust Company. (Attachments: # <u>1</u> Certificate/Proof of Service) (Kouvabina, Elena) (Filed on 9/9/2011) (Entered: 09/09/2011)
09/12/2011	<u>83</u>	CLERKS NOTICE CONTINUING THE CASE MANAGEMENT CONFERENCE: Case Management Statement due by 10/28/2011. Case Management Conference set for 11/4/2011 01:30 PM in Courtroom 11, 19th Floor, San Francisco. (jjoS, COURT STAFF) (Filed on 9/12/2011) (Entered: 09/12/2011)
10/13/2011	<u>84</u>	ORDER by Judge JEFFREY S. WHITE granting <u>71</u> Motion to Dismiss (jjoS, COURT STAFF) (Filed on 10/13/2011) (Entered: 10/13/2011)
10/28/2011	<u>85</u>	CLERKS NOTICE CONTINUING CASE MANAGEMENT CONFERENCE: Case Management Statement due by 12/2/2011. Case Management Conference set for 12/9/2011 01:30 PM in Courtroom 11, 19th Floor, San Francisco. (jjoS, COURT STAFF) (Filed on 10/28/2011) (Entered: 10/28/2011)
11/02/2011	<u>86</u>	(FOURTH) AMENDED COMPLAINT against The Bank of New York Trust Company. Filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 11/2/2011) (Entered: 11/07/2011)
11/21/2011	<u>87</u>	***erroneous docket entry*** ANSWER to Amended Complaint ; <i>Motion to Dismiss; Motion to Strike Portions</i> by The Bank of New York Trust Company. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 11/21/2011) Modified on 11/22/2011 (hdj, COURT STAFF). (Entered: 11/21/2011)
11/22/2011	<u>88</u>	MOTION to Dismiss <i>PLAINTIFF'S FOURTH AMENDED COMPLAINT; MOTION TO STRIKE PORTIONS OF FOURTH AMENDED COMPLAINT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF</i> filed by The Bank of New York Trust Company. Motion Hearing set for 3/2/2012 09:00 AM in Courtroom 11, 19th Floor, San Francisco before Hon. Jeffrey S. White. Responses due by 12/6/2011. Replies due by 12/13/2011. (Kouvabina, Elena) (Filed on 11/22/2011) (Entered: 11/22/2011)
11/22/2011	<u>89</u>	Proposed Order re <u>88</u> MOTION to Dismiss <i>PLAINTIFF'S FOURTH AMENDED COMPLAINT; MOTION TO STRIKE PORTIONS OF FOURTH AMENDED COMPLAINT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF</i> by The Bank of New York Trust Company. (Attachments: # <u>1</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 11/22/2011) (Entered: 11/22/2011)

		11/22/2011)
11/30/2011	<u>90</u>	STIPULATION ( <i>Joint</i> ) <i>Re-Setting Response/Reply Brief Due Dates and Vacating/Re-Setting CMC Date</i> by The Bank of New York Trust Company. (Attachments: # <u>1</u> Proposed Order Re-Setting Response/Reply Brief Due Dates and Vacating/Re-Setting CMC Date, # <u>2</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 11/30/2011) (Entered: 11/30/2011)
12/02/2011	<u>91</u>	ORDER Granting as modified <u>90</u> Stipulation Re-Setting Response/Reply Brief Due Dates and Vacating/Re-Setting CMC Date: Case Management Statement due by 2/24/2012. Case Management Conference set for 3/2/2012 01:30 PM in Courtroom 11, 19th Floor, San Francisco.. Signed by Judge Jeffrey S. White on 12/2/11. (jjoS, COURT STAFF) (Filed on 12/2/2011) (Entered: 12/02/2011)
12/13/2011	<u>92</u>	RESPONSE (re <u>88</u> MOTION to Dismiss <i>PLAINTIFF'S FOURTH AMENDED COMPLAINT; MOTION TO STRIKE PORTIONS OF FOURTH AMENDED COMPLAINT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF</i> ) filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 12/13/2011) (Entered: 12/15/2011)
12/20/2011	<u>93</u>	REPLY (re <u>88</u> MOTION to Dismiss <i>PLAINTIFF'S FOURTH AMENDED COMPLAINT; MOTION TO STRIKE PORTIONS OF FOURTH AMENDED COMPLAINT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF</i> ) filed by The Bank of New York Trust Company. (Kouvabina, Elena) (Filed on 12/20/2011) (Entered: 12/20/2011)
02/16/2012	<u>94</u>	ORDER by Judge JEFFREY S. WHITE denying <u>88</u> Motion to Dismiss (jjoS, COURT STAFF) (Filed on 2/16/2012) (Entered: 02/16/2012)
02/24/2012	<u>95</u>	NOTICE of need for ADR Phone Conference (ADR L.R. 3-5 d) (Attachments: # <u>1</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 2/24/2012) (Entered: 02/24/2012)
02/24/2012	<u>96</u>	JOINT CASE MANAGEMENT STATEMENT filed by The Bank of New York Trust Company. (Attachments: # <u>1</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 2/24/2012) (Entered: 02/24/2012)
02/24/2012	<u>97</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Attachments: # <u>1</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 2/24/2012) (Entered: 02/24/2012)
02/24/2012	<u>98</u>	CERTIFICATE OF SERVICE by The Bank of New York Trust Company re <u>96</u> Joint Case Management Statement <i>UPDATED</i> (Kouvabina, Elena) (Filed on 2/24/2012) (Entered: 02/24/2012)
02/28/2012	<u>99</u>	ADR Clerk Notice Setting ADR Phone Conference on 3/1/12 at 10:00 a.m Pacific. The attached document contains instructions for connecting to the call for parties to the case. (sgd, COURT STAFF) (Filed on 2/28/2012) (Entered: 02/28/2012)
03/01/2012		ADR Remark: ADR Phone Conference held by RWS on 3/1/12. (sgd, COURT STAFF) (Filed on 3/1/2012) (Entered: 03/01/2012)

03/05/2012	<u>100</u>	Minute Entry. Initial Case Management Conference held on 3/2/2012 before Judge Jeffrey S. White (Date Filed: 3/5/2012). (Court Reporter Jim Yeomans.) (jjoS, COURT STAFF) (Date Filed: 3/5/2012) (Entered: 03/05/2012)
03/05/2012	<u>101</u>	ANSWER to Complaint ( <i>FOURTH AMENDED COMPLAINT</i> ) by The Bank of New York Trust Company. (Attachments: # <u>1</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 3/5/2012) (Entered: 03/05/2012)
03/06/2012	<u>102</u>	ADR Clerks Notice Appointing Robert Hirsch as Mediator. (af, COURT STAFF) (Filed on 3/6/2012) (Entered: 03/06/2012)
03/12/2012	<u>103</u>	ADR Clerks Notice Vacating Appointment of Mediator, Robert Hirsch. The ADR Program will appoint another mediator as soon as possible. (af, COURT STAFF) (Filed on 3/12/2012) (Entered: 03/12/2012)
03/13/2012	<u>104</u>	ADR Clerks Notice Appointing John E. F. DiNapoli as Mediator. (af, COURT STAFF) (Filed on 3/13/2012) (Entered: 03/13/2012)
03/26/2012		Pre MED phone conference scheduled on Tuesday, March 27, 2012 at 11:00 a.m. (af, COURT STAFF) (Filed on 3/26/2012) (Entered: 03/26/2012)
03/28/2012	<u>105</u>	STIPULATION WITH PROPOSED ORDER <i>TO EXTEND DATE, etc.</i> filed by The Bank of New York Trust Company. (Attachments: # <u>1</u> Certificate/Proof of Service) (Kouvabina, Elena) (Filed on 3/28/2012) (Entered: 03/28/2012)
03/29/2012	<u>106</u>	ORDER GRANTING <u>105</u> STIPULATION TO EXTEND DATE 1) TO COMPLETE MEDIATION AND 2) TO FILE MOTION FOR REMAND. Signed by Judge Jeffrey S. White on 3/29/12. (jjoS, COURT STAFF) (Filed on 3/29/2012) (Additional attachment(s) added on 3/29/2012: # <u>1</u> Certificate of Service) (jjoS, COURT STAFF). (Entered: 03/29/2012)
05/01/2012	<u>107</u>	MOTION to Remand filed by The Bank of New York Trust Company. Responses due by 5/15/2012. Replies due by 5/22/2012. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order, # <u>3</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 5/1/2012) (Entered: 05/01/2012)
05/01/2012	<u>108</u>	Request for Judicial Notice re <u>107</u> MOTION to Remand filed by The Bank of New York Trust Company. (Related document(s) <u>107</u> ) (Kouvabina, Elena) (Filed on 5/1/2012) (Entered: 05/01/2012)
05/01/2012		Set/Reset Deadlines as to <u>107</u> MOTION to Remand . Motion Hearing set for 6/29/2012 09:00 AM in Courtroom 11, 19th Floor, San Francisco before Hon. Jeffrey S. White. (jjoS, COURT STAFF) (Filed on 5/1/2012) (Entered: 05/01/2012)
05/04/2012	<u>109</u>	ORDER. Signed by Judge Donna M. Ryu on 5/4/2012. (dmrlc2, COURT STAFF) (Filed on 5/4/2012) (Entered: 05/04/2012)
05/09/2012	<u>110</u>	ORDER. Signed by Magistrate Judge Donna M. Ryu on 5/9/2012. (dmrlc2, COURT STAFF) (Filed on 5/9/2012) (Entered: 05/09/2012)
05/11/2012	<u>111</u>	MOTION for Extension of Time to File Response filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 5/11/2012) (Entered: 05/15/2012)

05/16/2012	<u>112</u>	RESPONSE (re <u>111</u> MOTION for Extension of Time to File ) <i>OPPOSITION TO MOTION</i> filed by The Bank of New York Trust Company. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 5/16/2012) (Entered: 05/16/2012)
05/16/2012	<u>113</u>	ORDER by Judge Susan Illston for Jeffrey S. White granting <u>111</u> Motion for Extension as modified (jjoS, COURT STAFF) (Filed on 5/16/2012) (Entered: 05/16/2012)
05/18/2012	<u>114</u>	RESPONSE (re <u>107</u> MOTION to Remand ) filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 5/18/2012) (Entered: 05/21/2012)
05/18/2012	<u>115</u>	Declaration of Alan Moss in Support of <u>114</u> Opposition/Response to Motion filed by Alan Irving Moss. (Related document(s) <u>114</u> ) (hdj, COURT STAFF) (Filed on 5/18/2012) (Entered: 05/21/2012)
05/31/2012	<u>116</u>	CERTIFICATION OF MEDIATION Session 5/29/2012, case not settled, mediation complete. Signed by Mediator, John E.F. DiNapoli, dated 5/29/2012. (af, COURT STAFF) (Filed on 5/31/2012) (Entered: 05/31/2012)
06/08/2012	<u>117</u>	RESPONSE (re <u>107</u> MOTION to Remand ) filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 6/8/2012) (Entered: 06/11/2012)
06/08/2012	<u>118</u>	Declaration of Alan Moss in Support of <u>117</u> Opposition/Response to Motion filed by Alan Irving Moss. (Related document(s) <u>117</u> ) (hdj, COURT STAFF) (Filed on 6/8/2012) (Entered: 06/11/2012)
06/13/2012	<u>119</u>	REPLY (re <u>107</u> MOTION to Remand ) <i>IN SUPPORT OF ITS MOTION TO REMAND; OPPOSITION TO PLAINTIFF'S MOTION FOR ADDITIONAL TIME WITHIN WHICH TO RESPOND</i> filed by The Bank of New York Trust Company. (Attachments: # <u>1</u> Certificate/Proof of Service)(Kouvabina, Elena) (Filed on 6/13/2012) (Entered: 06/13/2012)
06/13/2012	<u>120</u>	ERRATA re <u>108</u> Request for Judicial Notice, <u>107</u> MOTION to Remand <i>PART 1</i> by The Bank of New York Trust Company. (Kouvabina, Elena) (Filed on 6/13/2012) (Entered: 06/13/2012)
06/13/2012	<u>121</u>	ERRATA re <u>108</u> Request for Judicial Notice, <u>107</u> MOTION to Remand <i>PART 2</i> by The Bank of New York Trust Company. (Kouvabina, Elena) (Filed on 6/13/2012) (Entered: 06/13/2012)
06/13/2012	<u>122</u>	ERRATA re <u>108</u> Request for Judicial Notice, <u>107</u> MOTION to Remand <i>PART 3</i> by The Bank of New York Trust Company. (Kouvabina, Elena) (Filed on 6/13/2012) (Entered: 06/13/2012)
06/25/2012	<u>125</u>	Ex Parte Application Pursuant to Local Rule 6-3 to Enlarge Time on Motion to Remand filed by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 6/25/2012) (Entered: 06/27/2012)
06/25/2012	<u>126</u>	Declaration of Alan Moss in Support of <u>125</u> Ex Parte Application filed by Alan Irving Moss. (Related document(s) <u>125</u> ) (hdj, COURT STAFF) (Filed on 6/25/2012) (Entered: 06/27/2012)

06/25/2012	<u>127</u>	Proposed Order re <u>125</u> Ex Parte Application, <u>126</u> Declaration in Support by Alan Irving Moss. (hdj, COURT STAFF) (Filed on 6/25/2012) (Entered: 06/27/2012)
06/26/2012	<u>123</u>	ORDER GRANTING <u>107</u> MOTION to Remand. Signed by Judge JEFFREY S. WHITE on 6/26/12. (jjoS, COURT STAFF) (Filed on 6/26/2012) (Entered: 06/26/2012)
06/27/2012	<u>124</u>	Remanded to San Mateo County Superior Court. (hdj, COURT STAFF) (Filed on 6/27/2012) (Entered: 06/27/2012)
07/09/2012	<u>128</u>	Receipt from San Mateo County Superior Court. (hdj, COURT STAFF) (Filed on 7/9/2012) (Entered: 07/13/2012)
07/23/2012	<u>129</u>	MOTION for Leave to File Motion for Reconsideration re: Ruling on Remand filed by Alan Irving Moss. (dsc, COURT STAFF) (Filed on 7/23/2012) (Entered: 07/24/2012)
07/23/2012	<u>130</u>	Declaration of Alan Moss in Support of <u>129</u> MOTION for Leave to File Motion for Reconsideration re: Ruling on Remand filed by Alan Irving Moss. (Related document(s) <u>129</u> ) (dsc, COURT STAFF) (Filed on 7/23/2012) (Entered: 07/24/2012)
07/23/2012	<u>131</u>	Proposed Order re <u>129</u> MOTION for Leave to File by Alan Irving Moss. (dsc, COURT STAFF) (Filed on 7/23/2012) (Entered: 07/24/2012)
08/07/2012	<u>132</u>	ORDER by Judge Jeffrey S. White denying <u>129</u> Motion for Leave to File Motion for Reconsideration (jjoS, COURT STAFF) (Filed on 8/7/2012) (Entered: 08/07/2012)

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